

#94

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The New Amberola **GRAPHIC**

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Sept. 15, 1996

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The New Amberola Graphic

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74 through 86, each..... 1.00
87 onward..... 1.25

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(ISSN 0028-4181)

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About Advertising

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Editor's Notes

A record number of 15 copies of the last issue came back because we didn't have the subscribers' recent changes of address. This represents $1\frac{1}{4}\%$ of our subscription list. It's costly to us (we are charged 50¢ for each returned issue), costly to the subscribers to order replacement copies, and unfair to advertisers who want to get their message to all readers in a timely fashion.

Please let us know as soon as possible when your address is going to change -- even if it's within the same town it may not get delivered.
- M.F.B.

15

readers did not receive the last issue because they failed to notify us of a change in their address.

Don't let this happen to you! Let us know when you move (second class mail does not get forwarded automatically).

BERLINER'S 1898 ANNUAL REPORT

by Ray Wile

For those with an historical bent I am presenting a Xerox made from a Berliner scrapbook before it was given to The Library of Congress by the late Richard Sanders. It is the only known copy of an Annual Report of the United States Gramophone Co. issued in the spring of 1898. It is a mine of information that is not available elsewhere ...note the reference to "a new model Spring Motor Machine made by Mr. Johnson," which we now know as the "trade-mark Gramophone"; also note the lawsuit against the Standard Talking Machine Co. and its "Wonder" machine, which shows up in Frank Andrews' information about Vitaphone in this issue. Also notice the printer's curious misspelling of the name "Berliner" in the text!

Some of the type is breaking up, but readers who persist will be rewarded with a fascinating look at the fledgling disc recording industry.

To the Stockholders:

I have the honor of submitting for your consideration my annual report for the year ending April 3d, 1898.

It is with great pleasure that I invite your attention to the reasonable measure of prosperity that the Company has enjoyed during the past year, despite the general stagnation universally existing in business circles, and to the bright promise that the future seems to hold in store for us.

During the seven months ending with March 31st, 1897, the earnings of the Company amounted to \$12,240.00, being an average of \$1,748.00 per month. During the present year ending with March 31st, 1898, the earnings amounted to \$47,874.65, being an average of about \$4,000.00 per month, showing an average monthly increase of more than 100 per cent. The receipts for the six months ending with March 31st, 1898, amount to \$37,140.90, being an average of \$6,190 per month. This high average having been maintained for the last six months, in but one of which did the receipts fall below \$5,000, would seem to indicate that this fine showing is not the effect of sporadic causes, but due to a healthy and natural growth in a sound and meritorious enterprise. Indeed, with the marked improvements that have been made in the mechanical features of the gramophone and the great perfection that is being attained by improved processes in the record and matrix making department which will be more specifically referred to hereafter; with a reasonable amount of energy and executive ability displayed in the manufacture and sale of gramophone goods, with the increased revenues which must result from the introduction of new lines of gramophone articles, such as a toy machine and a slot machine, which it is confidently asserted will shortly be launched upon the market; with no untoward event intervening, such as the threatened war with Spain, causing an interruption in the natural course of business, I see no reason why the high average should not be constantly maintained and even exceeded in the future operations of the Company. This would insure a yearly income more than sufficient to pay an annual dividend of 6 per cent. on all the preferred stock and common stock that has been issued.

The actual receipts of the Company during the past year, as shown by the accompanying report of the Treasurer, were \$39,186.90, not including a balance in bank at the beginning of the year of \$1,480.40. The operating expenses of the Company, including salaries and attorneys' fees, were but \$947.73. On August 3d, 1897, a semi-annual dividend of 3 per cent. on the preferred stocks and a dividend of nine cents per share on the common stock for the year ending June 30th, 1897, was paid, amounting in all to \$9,838.70. On January 26th, 1898, a semi-annual dividend of 3 per cent. on the preferred and of 2 per cent. on the common stock was paid, amounting in all to \$17,661.80, a sum sufficient to pay the second instalment of the annual dividend of 6 per cent. on the preferred stock for the year ending June 30th, 1898, having been upon the advice of counsel first set aside. There is at present a balance in the Bank of \$9,268.01, and the earnings for February and March, 1898, aggregating \$12,739.15 are in the course of transmission. Besides, there is still due the Company royalties on 710 Montross machines, the amount of which is now being adjusted.

The Montross machines are a lot of 2,000 gramophones which were manufactured to be sold in quantities for the scheme goods trade. Your directors have agreed to accept a royalty of one

ANNUAL REPORT

OF THE

PRESIDENT

OF THE

United States Gramophone Company.

WASHINGTON, D. C.:
NATIONAL PUBLISHING COMPANY.
1898.

dollar per machine on this lot upon certain conditions as to a maximum price of \$10, a minimum number to be sold to any one person, and a report to this Company of the names of purchasers, with the serial number of machines, in default of which the right to recover the full amount of the royalties based upon a retail price of \$24 is reserved.

Your directors have allowed the Berliner Gramophone Company rebates to the amount of \$357.50 during the year in special cases where equity and good conscience seemed to require such action, but in order to guard against a recurrence of such contingencies, they adopted a resolution prohibiting such allowance in the future in all cases where an arrangement to that effect had not been previously made with this Company.

The directors have also made the two following amendments to the By-Laws: Section 5, Article 1, was amended so as to read as follows:

"Regular meetings of the Board of Directors shall be held at the office of the Company in the District of Columbia upon the first Monday of each and every month."

Article 2 was amended by the addition of the following section, to be known as Section 8:

"No officer shall give out any information or allow any book or document in his possession or under his control to be inspected by any stockholder except upon the order of the Board of Directors.

Any stockholder desiring the privilege of inspection of the books and documents of the Company shall file with the Secretary a written request therefor, in which shall be stated the purpose or object for which such privilege is desired, and the particular book or books, document or documents which he is desirous of inspecting. Said written request shall be presented to and be acted upon by the Board of Directors at its next regular meeting."

After the annual meeting of the stockholders, the directors chosen at that meeting effected an organization by electing Emile Berliner as President, Joseph Lyons as Vice-President, Joseph Auerbach as Secretary, and Isaac W. Nordlinger as Treasurer. Shortly thereafter a vacancy was caused in the Board by the untimely death of William Whelan, one of the oldest and most faithful of the Company's directors. Suitable resolutions of regret were adopted and were ordered to be inserted in the minutes. The vacancy was filled by the election of Wolf Nordlinger.

The Clark patent for hand-governed gramophones was purchased by your directors for something less than \$300. At the time its chief recommendation was its cheapness, but the wisdom of the Board herein has since been demonstrated by the use which has been made of the principle underlying the patent, addition to some improvements made by your President, in the construction of a portable recording machine by means of which the Company will now be able to obtain records of prominent persons and celebrities which it would otherwise have been unable to secure by reason of the great objection which such persons seem to have against taking the trouble to call at the laboratory for that purpose. Indeed, your President believes that said patent with the improvements already mentioned will prove of great value in the manufacture of a gramophone to be operated by hand which can be sold at a vast reduction upon the present price of the Spring motor machine, and which will reproduce as well as the Johnson machine.

During the year, several alleged infringements of the patents

owned by this Company have been brought to the notice of your directors, the principal and most important of which being a talking machine called the "Wonder" made by a corporation known as the Standard Talking Machine Company, and which seems to be a clear and palpable infringement upon the gramophone patents. At the instance of the Berliner Company and by virtue of the obligations arising out of the contracts with that Company the Board decided to bring suit to enjoin said infringement and has retained the patent firm of Lyons & Bissing for that purpose. The bill is about completed and the suit will be filed in a few days. The other cases of infringement alluded to are now under investigation by the Board, and at the completion thereof suitable action will be taken in the premises.

The Berliner Company and its licensee, Mr. Seaman, are about concluding negotiations for the filling of an English order for the delivery within one year of 10,000 gramophones and 600,000 records, one of the conditions of which is the remission by this Company of the royalties to which it would be entitled under its contracts with said Company. Your directors, inasmuch as the filling of said order would in no wise conflict with the regular business of the Berliner Company, and in consideration of the execution of a contract by Emile Berliner, obligating himself to pay to this Company in lieu of said remission royalties on said order which will aggregate \$25,000, have adopted a resolution agreeing to remit said royalties.

The technical improvements made during the last year, consisted in a new model Spring Motor Machine, made by Mr. Johnson, a new reproducing sound-box worked out by the laboratory in Washington, several new Recording sound-boxes and the above mentioned Hand-governed Recording Machine, which can be put in a moderate sized valise and weighs about twenty pounds. Experiments have just been concluded in the matrix department, which resulted in the important achievement that any matrix made from now can be accurately duplicated, thereby insuring the production of practically unlimited numbers of perfect copies of any given record. This result is of vast importance, and virtually completes the cycle of inventions in the gramophone art.

During the present year, the Company has earned royalties upon 11,211 gramophones, 2,115 Johnson sound-boxes, and 408,195 records, aggregating in all, \$47,874.65.

Your President confidently believes, in view of the remarkable showing made during the past six months, that the Company will be able to declare a dividend on the common stock for the six months ending June 30th, 1898, which will make the total dividend for the year 6 per cent.

Respectfully submitted,

E. BERLINER,
President.



EXPENDITURES.

Fixed Charges.

April 20, charter tax.....	\$50.00	
April 20, statutory attorney's fee.....	10.00	
Dec. 29, Provident Life and Trust Co....	100.00	
Jones' commission on royalties to Feb. 1, 1898.....	2,142.06	2,302.06

Dividends.

August 3, Dividend No. 2.....	\$9,838.70	
1898.		
January 26, Dividend No. 3.....	17,661.80	27,500.50
January 5, Clark Patent H. G. Machines		291.50
Contingent expenses		97.73

Rebates.

Salaries and attorneys' fees.....		\$50.00
March 10, on 35 gramophones.....	\$84.00	
On 1,094 sound boxes.....	273.50	357.50
		\$31,399.29

RECAPITULATION.

Receipts	\$40,667.30
Expenditures	31,399.29
Balance in bank.....	\$9,268.01

CASH ASSETS.

Balance in bank.....	9,268.01
Royalties for February, in course of transmission	5,146.45
Royalties for March, in course of trans- mission	7,592.70
Unpaid royalties on 710 Montross ma- chines, now being adjusted.	
	2,209.16

Respectfully submitted,

I. W. NORDLINGER.

ANNUAL REPORT OF THE TREASURER OF THE
UNITED STATES GRAMOPHONE CO., FOR YEAR
ENDING APRIL 3d., 1898.

1897. RECEIPTS.

April 6th., cash in bank as per last report.....	\$1,480.40	
April 17, return of erroneous dividend.....	12.00	
Royalties from Berliner Gramophone Co.		
March	\$4,039.40	
April	2,133.80	
May	1,341.45	
June	1,426.70	
July	637.80	
August	2,230.25	
September	2,963.75	
499 Clark H. G. machines.....	698.60	
October	4,207.35	
November	5,334.10	
December	6,821.05	
January, 1898	7,340.65	39,174.90
		\$40,667.30

UNITED STATES GRAMOPHONE COMPANY.

Capitalization \$1,200,000

CAPITAL STOCK.

20,000 shares 6 per cent. preferred.....	\$200,000
100,000 shares common.....	1,000,000

STOCK ISSUED.

11,460 shares preferred.....	\$114,600
71,120 shares common.....	711,200

OFFICERS.

EMILE BERLINER, President.
 WERNER SUESS, Vice-President.
 JOSEPH AUERBACH, Secretary.
 ISAAC W. NORDLINGER, Treas. and M'gr.

PRINCIPAL OFFICE.

1023 Twelfth Street N. W., Washington, D. C.

IN REVIEW

(Reviews by the Graphic editor, unless identified otherwise.)Musiciens traditionnels du Québec (1920-1993)
by Gabriel Labbé

Lovers of French Canadian instrumental music in particular, and devotees of ethnic recordings in general, will find this new volume a welcome reference work. The main body of the book is an alphabetical listing of artists with brief biographical sketches, followed by discographies of their known recordings.

The book is a veritable "Who's Who" of traditional Québec musicians, past and present. There are the famous fiddlers Joseph Allard, J. O. LaMadeleine, and the prolific Isidore Soucy (Soucy's discography runs fourteen pages!); accordionists Tommy Duchesne and Alfred Montmarquette; harmonica player Henri Lacroix -- names familiar to many U.S. collectors, especially in New England. Their records sold well in the farm country and mill towns where French Canadian immigrants found time to enjoy and dance to the melodies of their native Québec. In 1940 Joseph La-Madeleine paid tribute to some of the Massachusetts mill towns (and perhaps hoped to

6. boost sales) by recording such selections as "New Bedford Reel," "Fall River Reel," "Holyoke Reel" and "Springfield Lancers." Not to be ignored, however, were his "Paris Reel," "Venice Reel," "Alaska Reel," "Normandie Reel," "Irish Reel," "Finnish Reel," "Panama Reel"...even a "Pearl Harbor Reel" in 1942!

There are some surprises found in the biographies of the artists. At least three of them, including the prolific Montmarquette, were actually born in the United States to immigrant families. Even more intriguing is the career of the famed Joseph Allard, who emigrated to the U.S. at the age of sixteen. Before returning to Québec in 1917, he had won champion fiddling contests in Massachusetts, New Hampshire, Connecticut, and Rhode Island.

The author indicates that the first recordings of traditional French Canadian instrumental music weren't made until 1923 (by fiddler Arthur-Joseph Boulay). Therefore, it shouldn't be surprising that many of the more famous artists were not considered "young" when they made their first discs. Several were in their 40s before taking to wax: Joseph Allard was over 50, Alfred Montmarquette was 57, and Joseph Lalonde was 66!

Another surprise comes in the section called "Our Influences." Author Labbé is generous in recognizing that many "traditional Québec" musicians were strongly influenced and inspired by recordings of other cultures. Therefore, he devotes space to the careers of the likes of Michael Coleman, Scott Skinner, Daniel and Peter Wyper, the Flanagan Brothers, and even John Kimmel!

There are two main drawbacks for U.S. collectors. First, the book is entirely in French. While this may discourage some readers, one is not at a complete handicap. Even the GRAPHIC editor, with his limited and largely forgotten high school French, can get the gist of the text, and a modest French-English dictionary helps pinpoint the critical words. Secondly, Labbé usually gives just primary issues in the discography. For example, many of the Victors made in Montreal in the 263000 series were issued concurrently in the U.S. under different catalogue numbers (notably, the scroll V-5000 block), but these are not included.

Musiciens traditionnels du Québec (1920-1993) is available directly from the author (Gabriel Labbé, C.P. 61, Succ Jean Talon, Montreal, Qué. Canada, H1S 2Z1) for \$32.00 in U.S. funds. It might also be available on order through its ISBN 2-89005-616-3.

The Compleat Talking Machine (Second Edition)
by Eric L. Reiss.

Ten years ago Eric Reiss broke new ground with his handbook on antique phonograph restoration. The book takes the collector by the hand and walks him through the various steps needed in motor overhauling, cabinet restoration, reproducer and soundbox rebuilding...even re-nickeling. (See my review of the original book in NAG #59.)

The new edition is significantly expand-

ed overall--it is now about 25% larger--but it is substantially the same in the restoration section. (This is somewhat surprising, in that some new restoration techniques and products have been introduced in the intervening decade.) Many of the restoration hints are simple and easy to follow, while others are downright ingenious, such as his technique for duplicating missing cabinet molding. My only caution is that Reiss makes some restoration procedures seem easier than they are, especially for those of us who don't do this work on a regular basis! The text has been entirely reset, making it much easier to read, but some of the photographs are a tad less sharp than in the original.

There is a greatly expanded "Identification" section of phonographs and miscellaneous equipment -- now fully forty pages, generously illustrated. There are the expected Victor and Edison machines (mostly external horn types), but collectors will be pleased by the wide array of Graphophones, Zonophones, and Chicago brands, as well as a nice variety of European models. There are some nice coin-op illustrations, and even the unusual "Peerless" floor model made by U.S. Everlasting.

There are several helpful appendices, such as a glossary of terms, a bibliography, a list of current suppliers, a concise "who's who" from the early years of the phonograph, etc.

But the most controversial section of the book is totally new, and it has stirred much discussion among collectors who have seen it: the "Price Guide." Approximately 300 phonographs are listed according to brand, along with a guide to rarity. This is achieved by the use of one to five stars (common Victrolas and many Edison Standards receiving one star; Class "M" Edisons and Victor Auxetophones getting five). These are followed by a range of prices for each model (such as \$150-250 for a "typical floor model" Victrola). Reiss also points out that some models are not among the rarest (such as the Edison "Opera"), but because of their universal desirability their prices are often higher than less common models. But are the prices realistic? Are they fair? Are they truly helpful? Do they do more harm than good? At this spring's Lynn Bilton show in New Jersey, some collectors complained they were too high; others said "too low!" Regardless of the answer (each collector will have to decide for himself), the prices do serve as a guide for collectors to compare one particular model in relation to others.

A few errors have crept into this work, and perhaps they will get corrected in future printings: P.78 - a split in the title end of a Blue Amberol does not affect the "first few bars of music," but rather, the last few bars. P.192 - The Little Wonder phonograph, in spite of its name, had no connection whatever with Little Wonder records. P.208 - The two Edison models were not electric.

The Complete Talking Machine (Second Edition) is just over 250 pages, large format, and is published by Sonoran Publishing of Chandler, AZ. It can be ordered with its ISBN 1-886606-08-0.

The Music America Loves to Sing

Most collectors are familiar with the 1878 "Song of Mister Phonograph" by "H.A.H. von O'Graff," which sings the praises of the Edison tinfoil model. Some additional songs, just as obscure, have come our way from readers Paul Charosh and Joe Martel.

Paul found the first two in fragile pulp paper song books from the 1890s. "The Phonograph" comes from the January 1893 Wehman's collection of Songs - No. 37; "Murphy's Phonograph" appeared in the April 1898 Wehman's No. 58. (Please don't send them 40¢ for the complete edition with music!). Paul notes that this song turns up on Berliner #1880 as "Murphy's Gramophone."

Joe Martel discovered the song on the next two pages in a 1918 Community Song Book. Try it over on your piano--and don't forget to imitate a phonograph when singing the chorus!

THE PHONOGRAPH.

Composed and Sung by Lowry & Evans.

Send for Free Catalogue of Song Books, Letter Writers, Dream Books, Fortune Tellers, Trick Books, Recitation Books, Penny Ballads, Call Books, Joke Books, Sketch Books, Stump Speeches, Irish Song Books, Cook Books, Books of Amusement, etc., to H. J. Wehman, 130 & 132 Park Row, New York.

There are some 'graphs we read about—
Great 'graph and graphthn' time.
To Photograph we Autograph to Telegraph to you;
The Stenograph and Lithograph
To catch the country gawk.
But the greatest 'graph to make you laugh
Is the Phonograph—that talks.
We heard one talking to itself
In a saloon not far from here;
And it told us some funny things,
Which we think were rather queer.
So quickly fold your faces
And prepare yourself to laugh,
And we will tell you some of the things
We heard in Edison's Phonograph.

We heard a tip on the Lacrosse,
Which really did come true;
Oh, wasn't that a wonderful thing—
We'll leave it now to you.
We heard two tramps a-singing—
"Comrades we will be,"
When leaving Payette's for the Penitentiary.

We heard "How Paddy Stole the Rope"
And skipped across the sea;
And when Pat Kennedy was elected,
Old Ireland he'd not free.
We heard two women arguing
The ways of Women's Rights;
Then said the law was trying hard
To stop them from wearing tights.

We heard McKinley reading his Tariff Bill;
We heard that Mrs. Langtry
Had doubled up with Buffalo Bill.
We heard the Ottawa's blowing about their team,
When Dr. Shanks said, " 'They're not in it'
With the boys of the green."

MURPHY'S PHONOGRAPH.

Copyright, 1897, by Wm. B. Gray. Entered at Stationers' Hall, London.

All rights reserved.

The Words and Music of this Song, arranged for the piano, will be sent to any address, post-paid, on receipt of 10 cents; or this and any two other songs for One Dollar, by Henry J. Wehman, 130 & 132 Park Row, New York; or 85 & 87 E. Madison St., Chicago. Write to either one of the above addresses for Free Catalogue of Songs, Song Books, Sheet Music, German Song Books, Letter Writers, Dream Books, Joke Books, etc.

Words and music by John T. Tierney.

Mike Murphy owned a fine saloon, he never had grief nor care,
It mattered not to Murphy whether the day was dark or fair;
An Irish gang hung 'round the place that better days had seen,
But Murphy caused his troubles with an Edison talking machine.

CHORUS.

Oh! the picture that was in that place,
Oh! the anxious look on each man's face;
Beside the great machine Michael Murphy could be seen,
Explaining all the great things done by Edison.

A neighbor named Dan Brady called, and Dan was an awful pest,
He gazed upon the new machine, was delighted like the rest;
Says Brady, "Can you make it play 'The Wearing of the Green?'"
But Murphy by mistake put in the song known as "God Save the Queen."

CHORUS.

Oh! the picture that was in that place,
Oh! the murder's look on each man's face;
Dan Brady made a pass, landed Murphy with a glass,
They wouldn't do a thing if they had Edison.

Dan Brady left but soon came back, while Murphy lay on the floor,
When Bull McCarty shouted out: "Now, we'll try the thing once more;"
Poor Murphy from the floor got up, then fainted dead away,
But by mistake the thing got mixed to a speech by an A. P. A.

CHORUS.

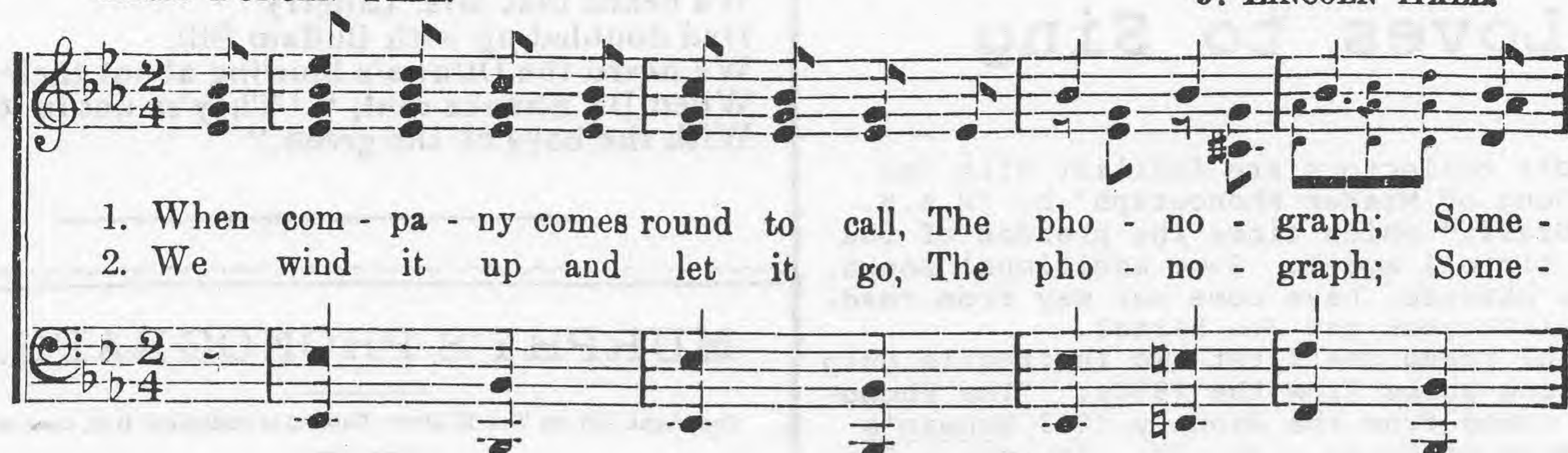
Oh! the picture that was in that place,
Poor old Murphy had an ingrown face;
Dan Brady's mug was white, when he threw some dynamite,
Now Murphy's dead and buried, all through Edison.



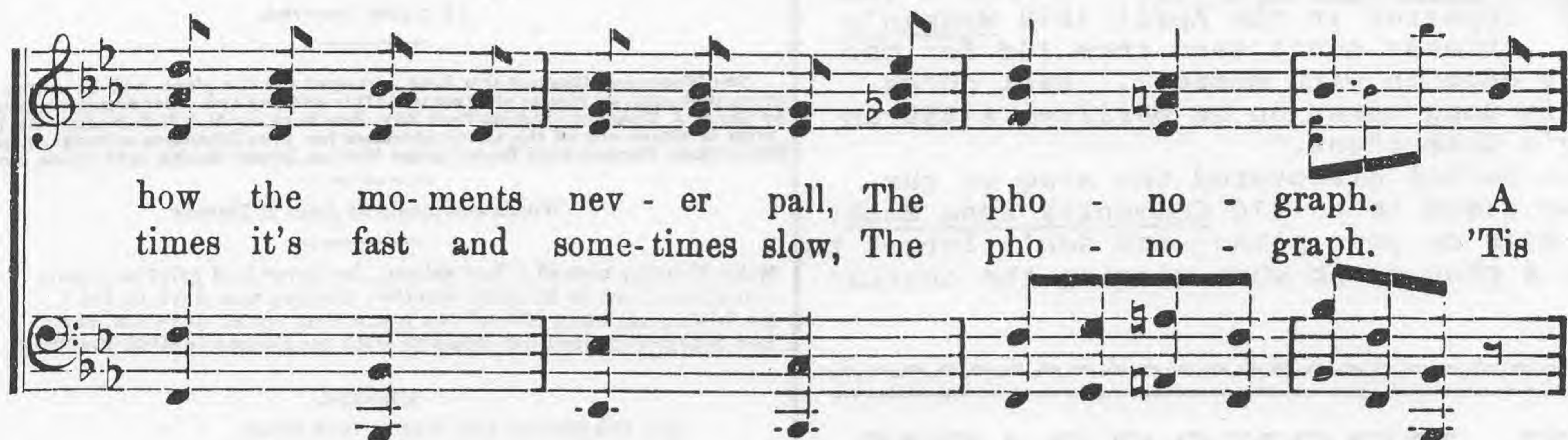
The Phonograph.

ELSIE DUNCAN YALE.

J. LINCOLN HALL.



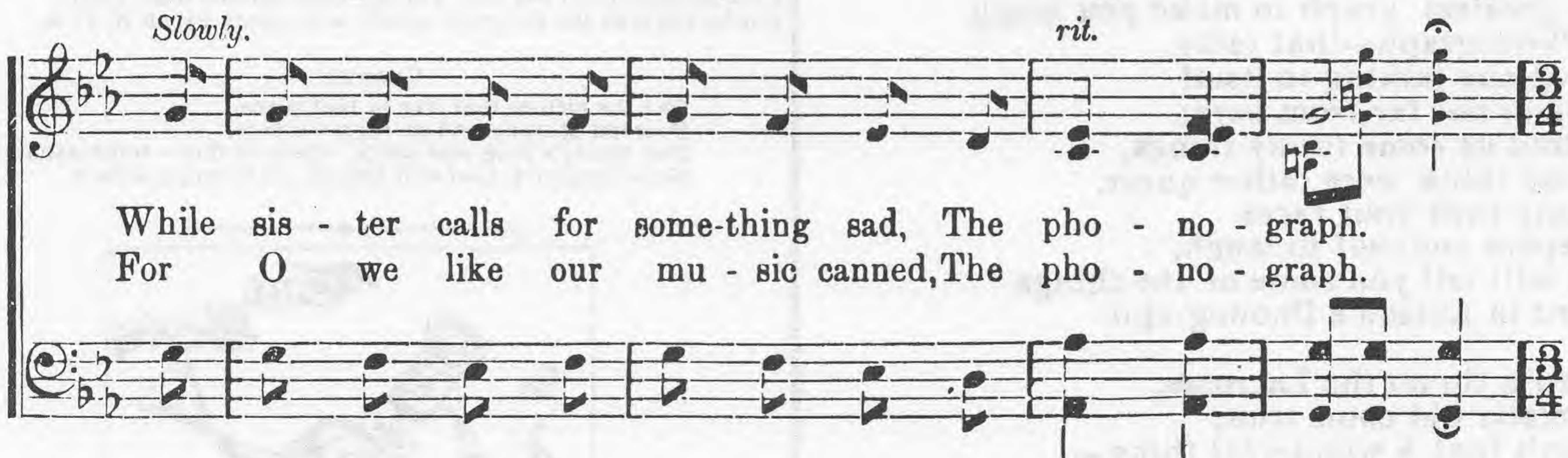
1. When com - pa - ny comes round to call, The pho - no - graph; Some -
 2. We wind it up and let it go, The pho - no - graph; Some -



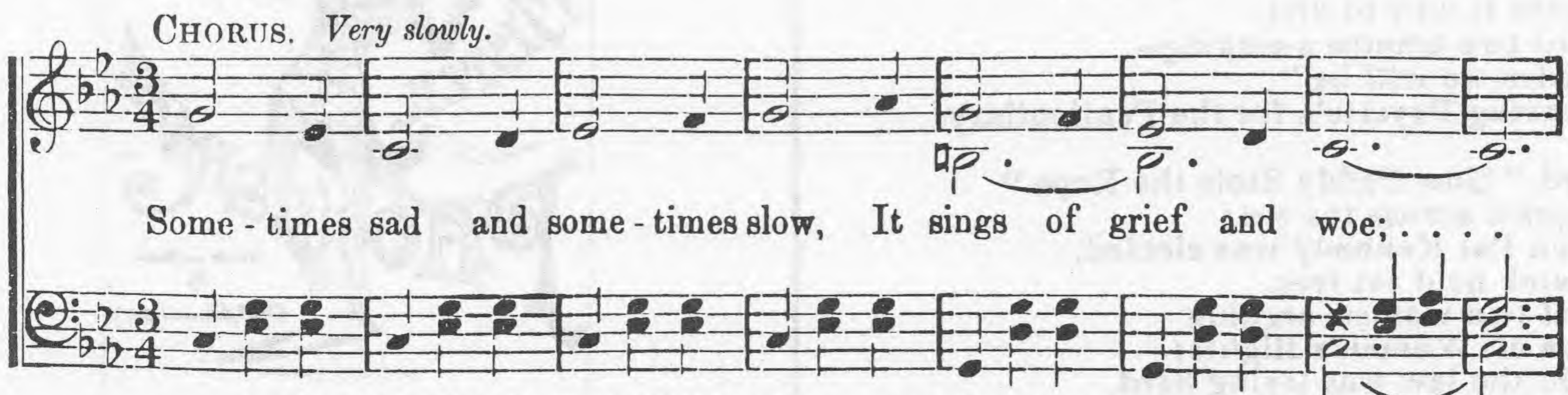
how the mo - ments nev - er pall, The pho - no - graph. A
 times it's fast and some-times slow, The pho - no - graph. 'Tis



brass band makes the ba - by glad, And rag-time pleas - es dear old Dad;
 just the thing to have on hand, When we've a so - cial eve - ning planned;



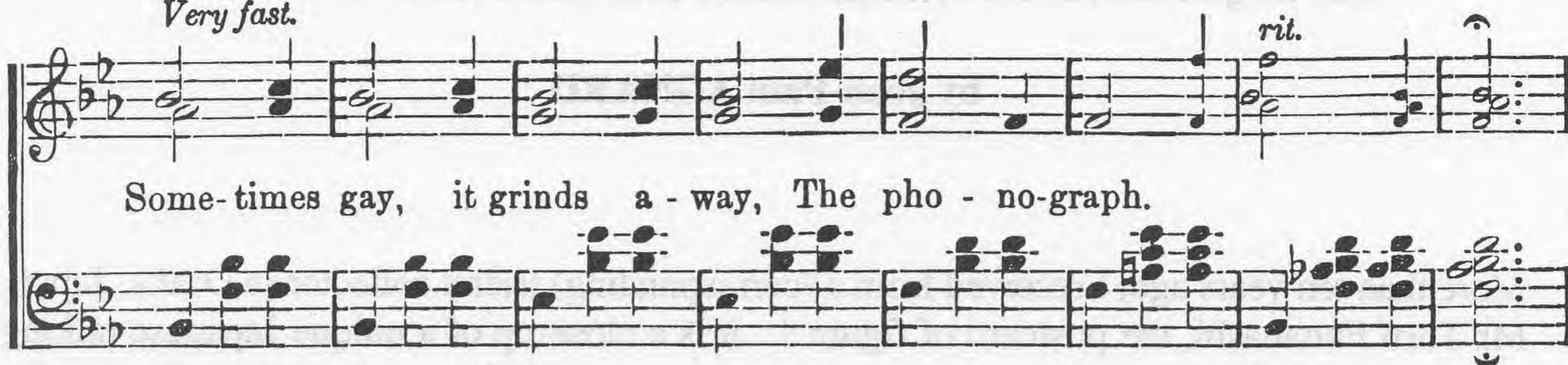
Slowly. *rit.*
 While sis - ter calls for some-thing sad, The pho - no - graph.
 For O we like our mu - sic canned, The pho - no - graph.



CHORUS. *Very slowly.*
 Some - times sad and some - times slow, It sings of grief and woe; . . .

The Phonograph.—Concluded.

Very fast.



Some-times gay, it grinds a - way, The pho - no-graph.

* "Miserere" from VERDI.



Ah! Che la - mor Ca - ru - - - - so!



Ah! Che la mor ad - di - - - - ol!



La, la, la, la, Ca - ru - - so! La, la, la, la, Ca - ru - - so! Ad -



di - - - - o, Ad - di - o, Ah! Ad - di - - - - o.

* Chorus may imitate phonograph.

THE FILMON ENDLESS SOUND BELT

The largest lateral cut cylinder record ever made (13.6' in diameter)

by Jean-Paul AGNARD

More than ten years ago, I received from a (corresponding) friend collector in Osaka, Japan, Mr Toru Funahashi, the postcard of figure 1. It is a close-up of a unique Japanese talking machine he had at that time, able to play both average 78 rpm records and specially manufactured endless sound belts. The explanation at the back of the self-issued postcard from 1954 being in Japanese, I could not know what it was all about.

On my second trip to Japan in 1989, Mr Funahashi brought me to the University of Art of Osaka which has a nice collection of talking machines, including some Japanese oddies such as a corner table model gramophone in triangular shape (fig. 2), a strange spider-like foldable hand powered gramophone and the two Filmon endless sound belt machines that were previously Mr Funahashi's property. I had the chance to take into my hands one of the endless sound belts which were with the machines and my wife took a picture that I have regrettably misplaced.

It was in September 1993 that I had the chance, at the flea market of Toji temple in Kyoto, to see a third model of Filmon talking machine. As a matter of fact, the two first ones were: one, (fig. 3) a table model (the one in the postcard) with an electric pick-up reproducer and amplifier to play both endless sound belts and 78 rpm records, the other (fig. 4) was a portable player, Model PA-1, that plays only endless sound belts, with an acoustical reproducer and a small wooden horn which opens to the right side of the machine. The one seen at the flea market (fig. 5) was a portable model, with an acoustical reproducer, but could also play 78 rpm records as well as endless sound belts. I found the price: 120,000 yen (\$ 1,000) high enough not to buy it (it had no sound belt), though now I regret it.

Just before leaving the place, I passed a last time in front of a booth not yet arranged, just on the other side of the row with the Filmon machine. I had the surprise to see a green round cardboard box. I don't know what pushed me to open it, as I did not recognize it. When I read on it: "*Filmon endless sound belt*", I was sure I had hit the jack-pot. My heart raced when I saw what was inside (fig. 6) and even more when I paid the equivalent of \$20.

I brought it to the next Bilton show, where Allen Koenigsberg took notice of the American patent and sent to me its contents a few weeks later. It is only with this information that I was able to write this paper.

The 13th of October 1936, a druggist (according to Mr Funahashi), Mr Shozo Konishi from Kami-Mura, Japan, applied in Japan for a patent. As we have only the American one in hand, let us examine it.

Applied for on June 23, 1937, with the serial number 150,007, it was granted on June 21, 1938 with the number 2,121,170, under the title: "*Process for Manufacturing an Endless Film Record for Sound Reproduction*".

謹賀新年

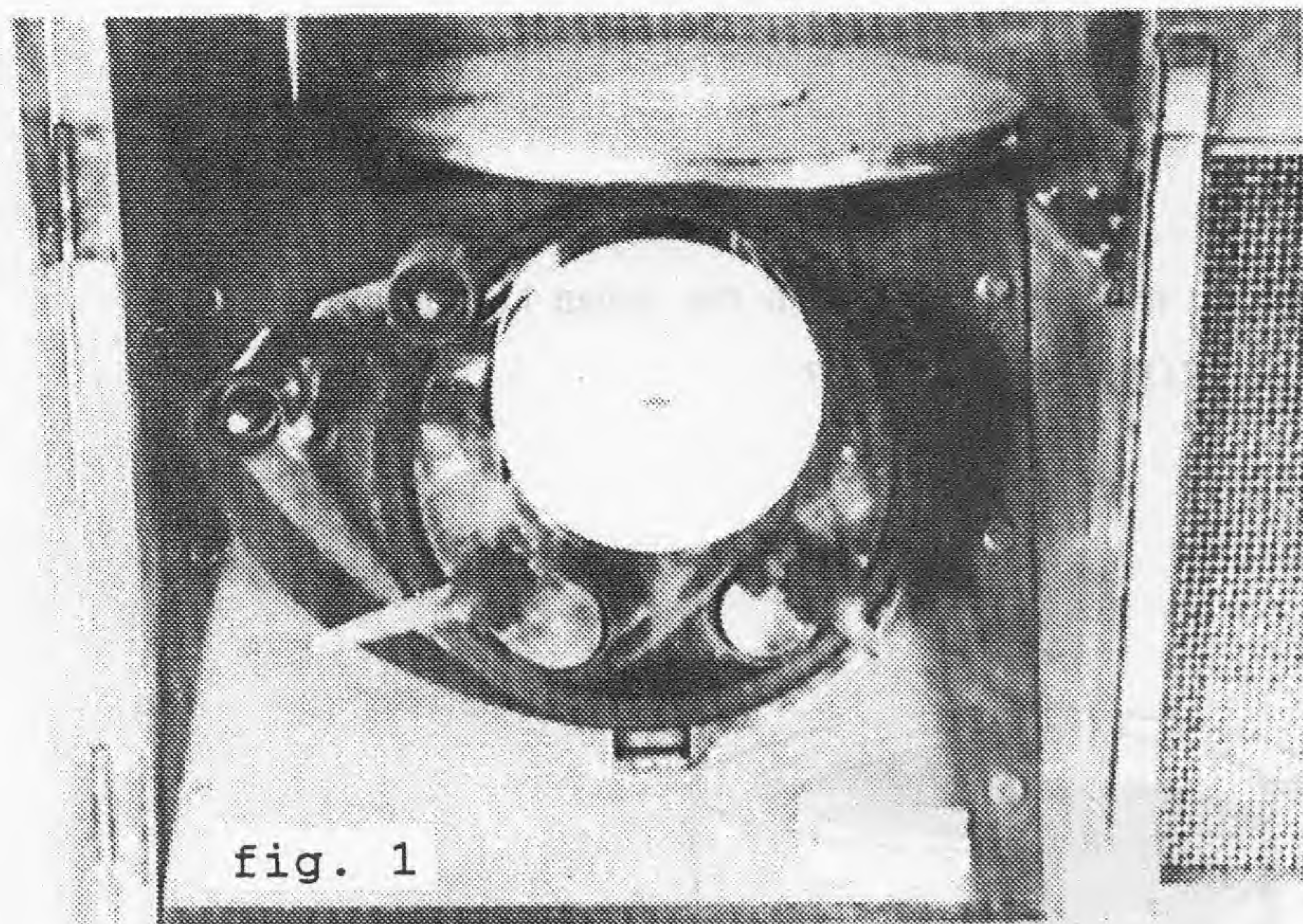


fig. 1

此等音響機は、映画製作に必要である。

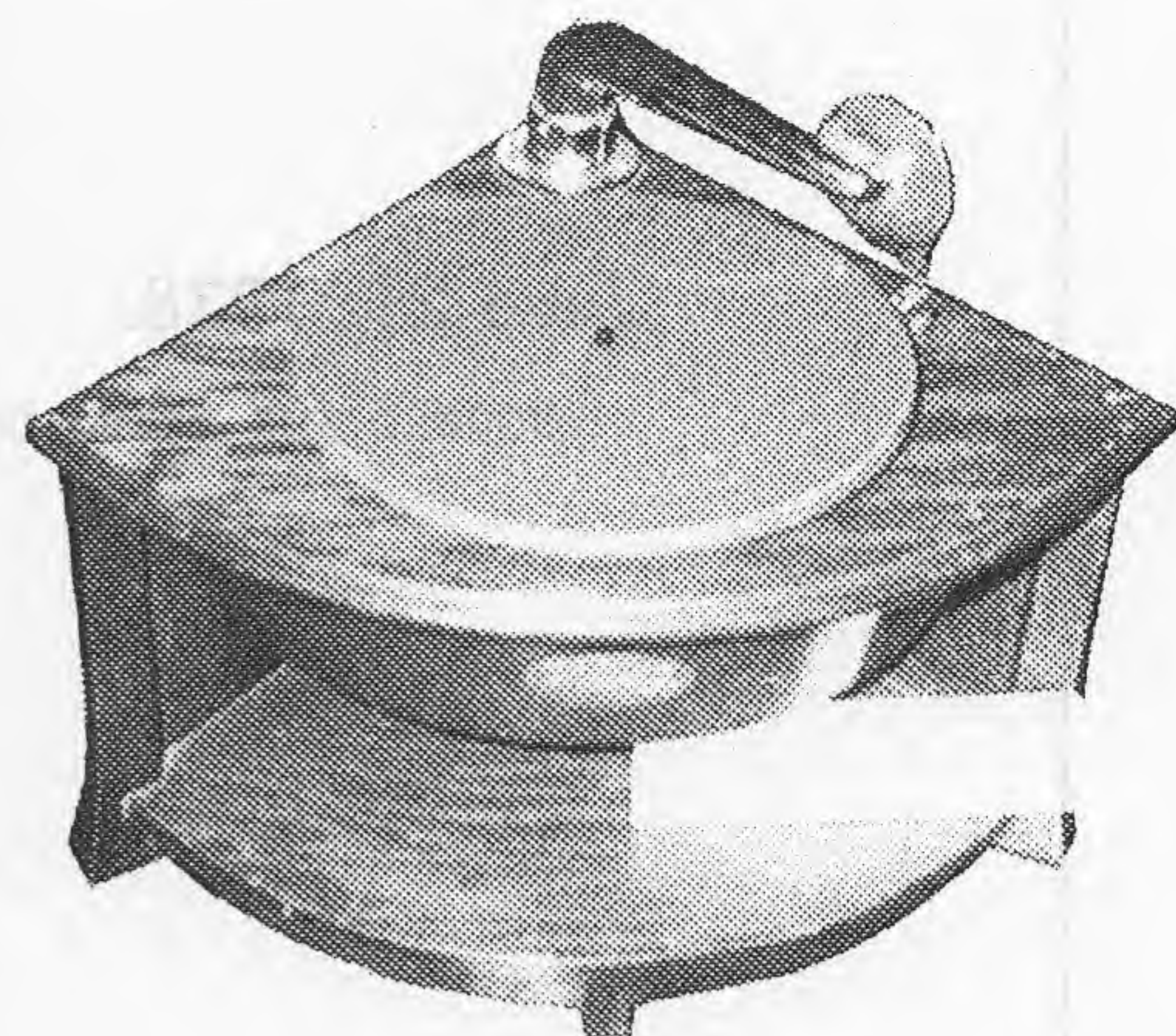


fig. 2

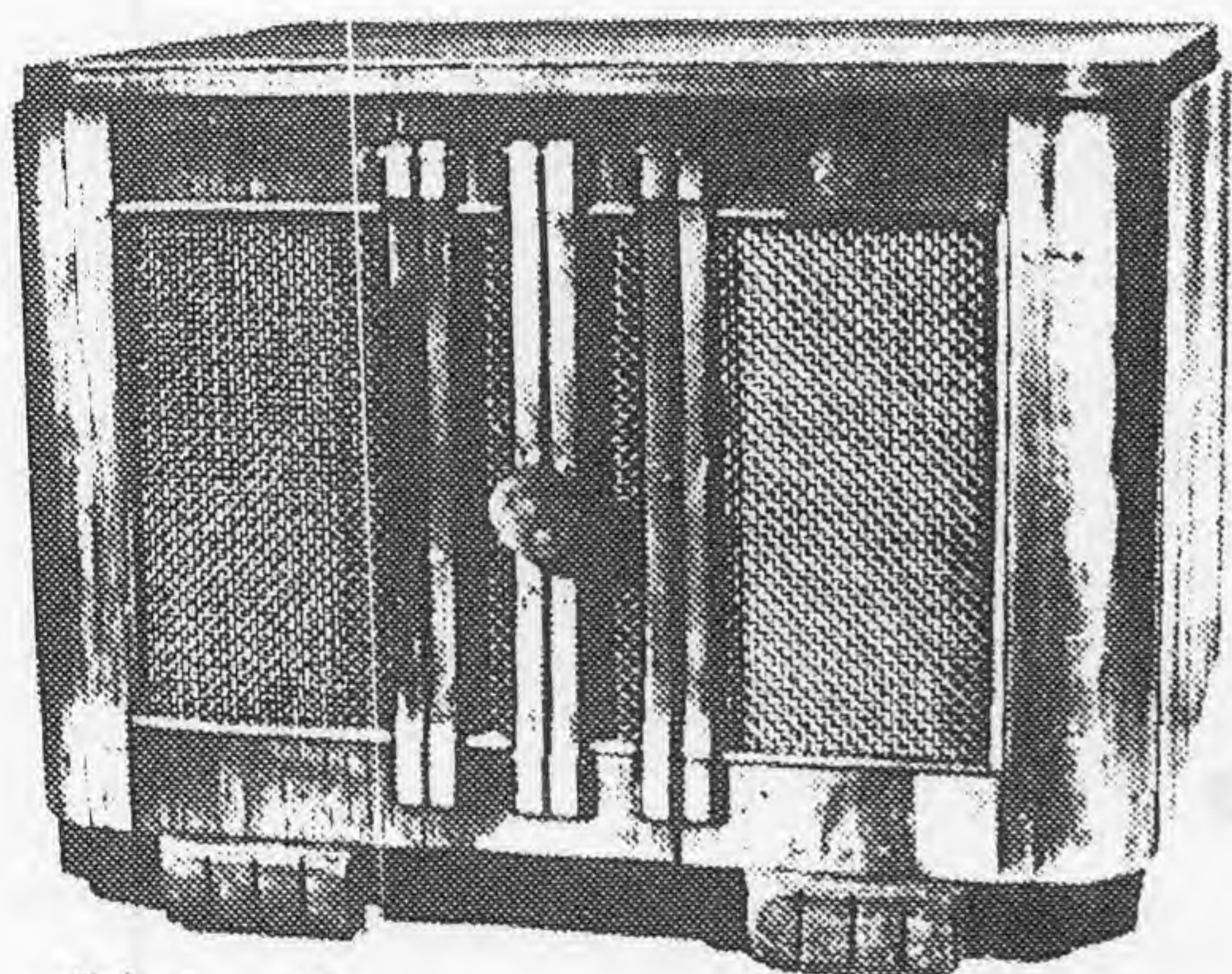


fig. 3

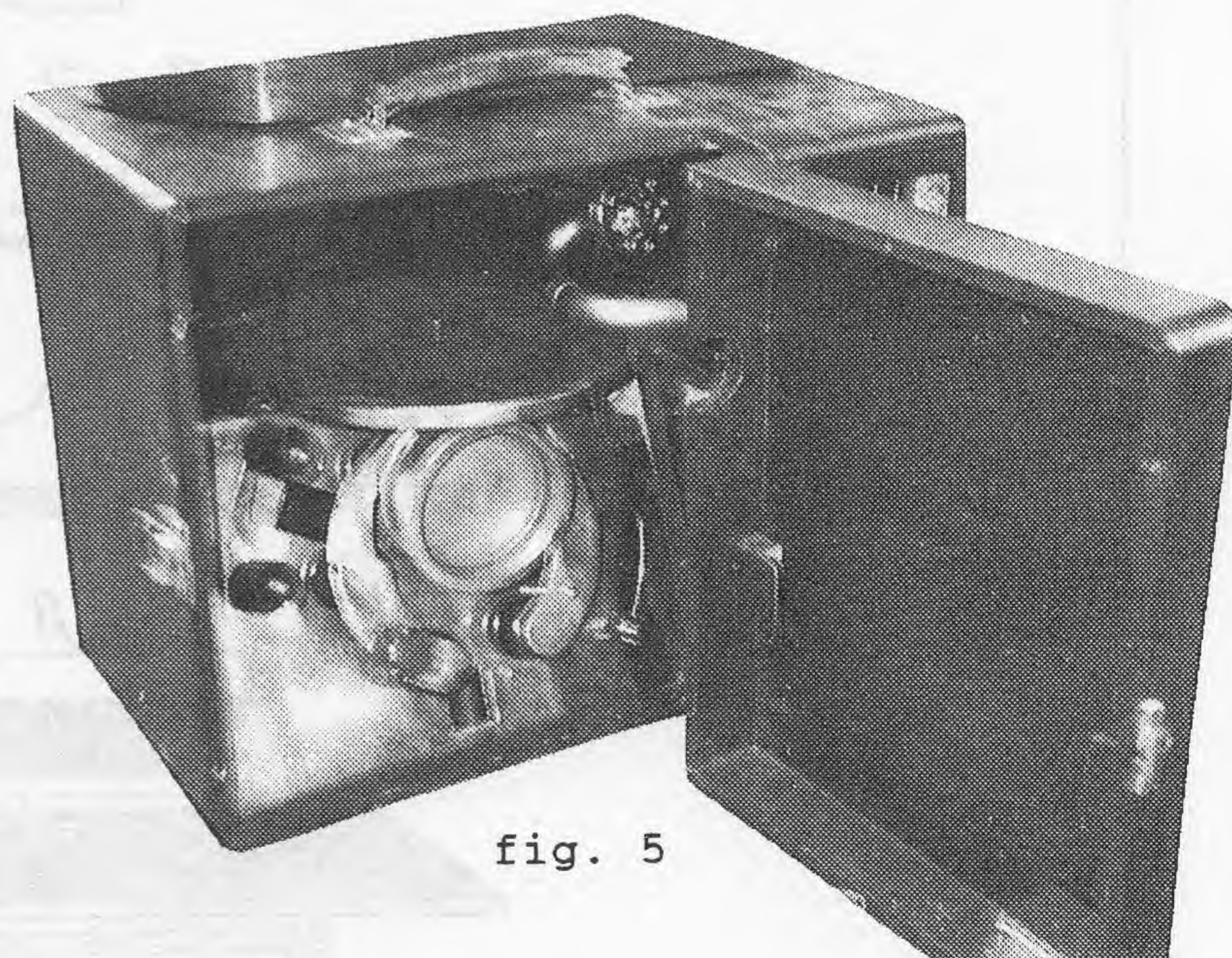


fig. 5

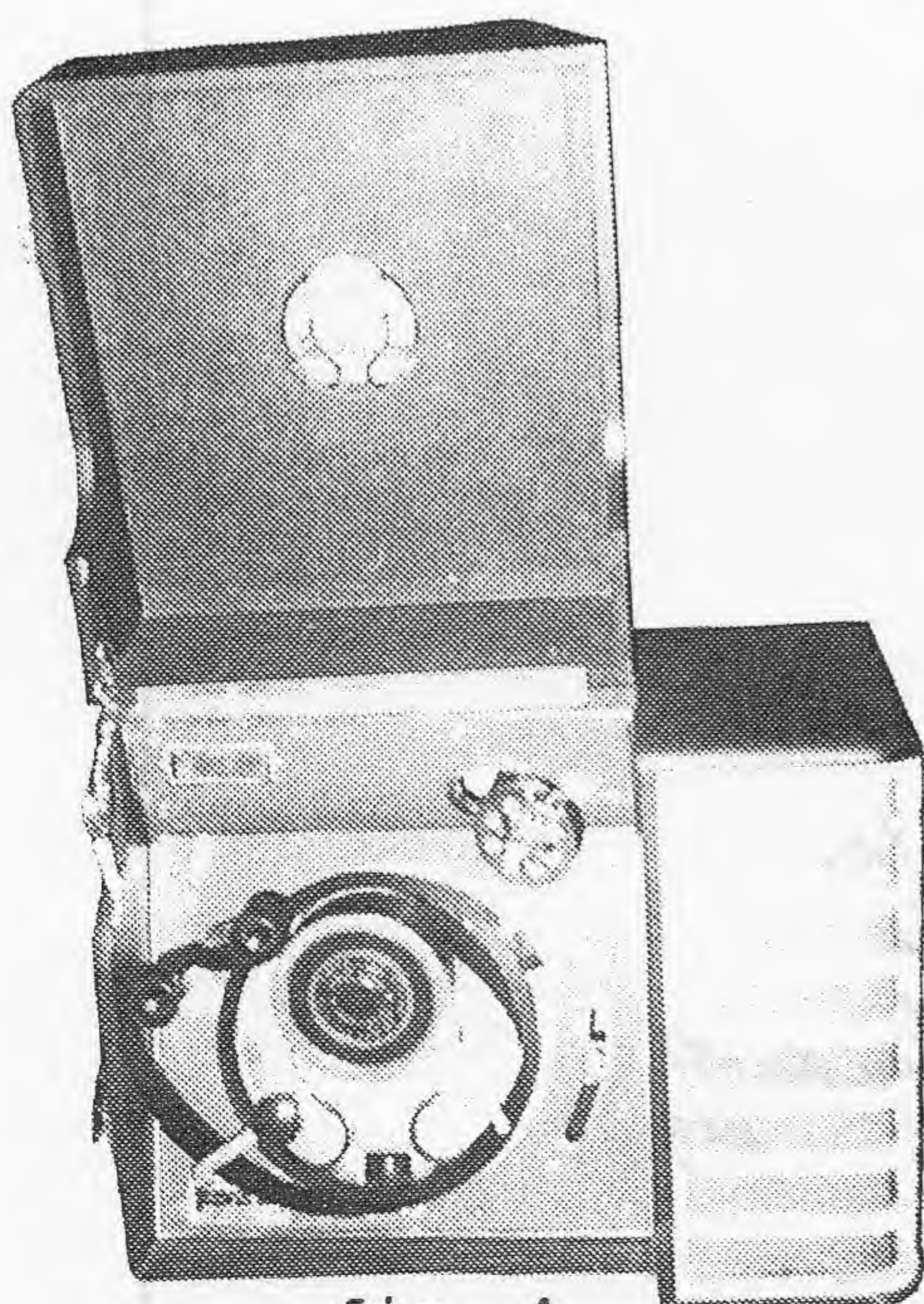


fig. 4



fig. 6

June 21, 1938.

S. KONISHI

2,121,170

PROCESS FOR MANUFACTURING AN ENDLESS FILM RECORD FOR SOUND REPRODUCTION

Filed June 23, 1937

Fig. 1

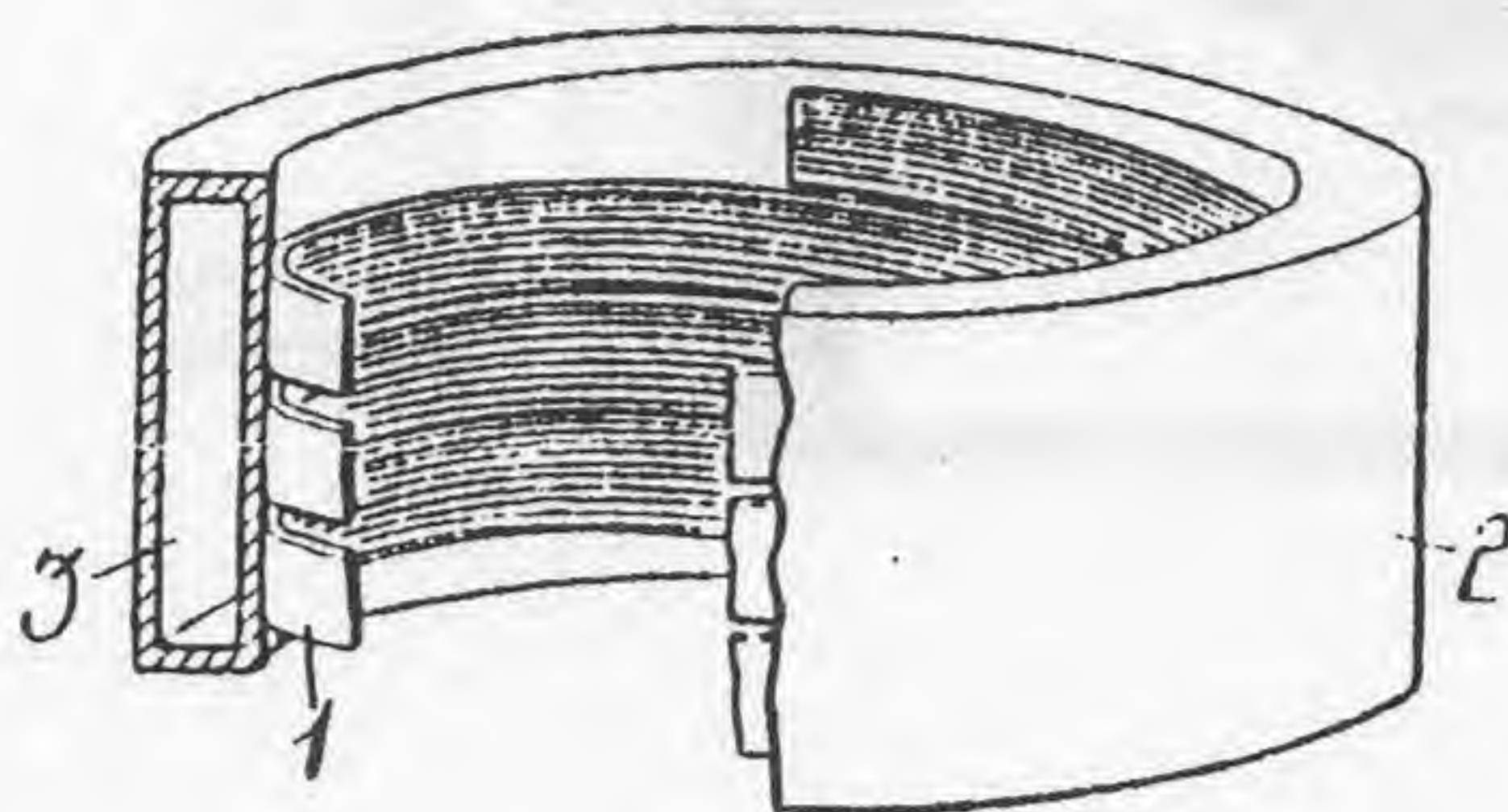


Fig. 2

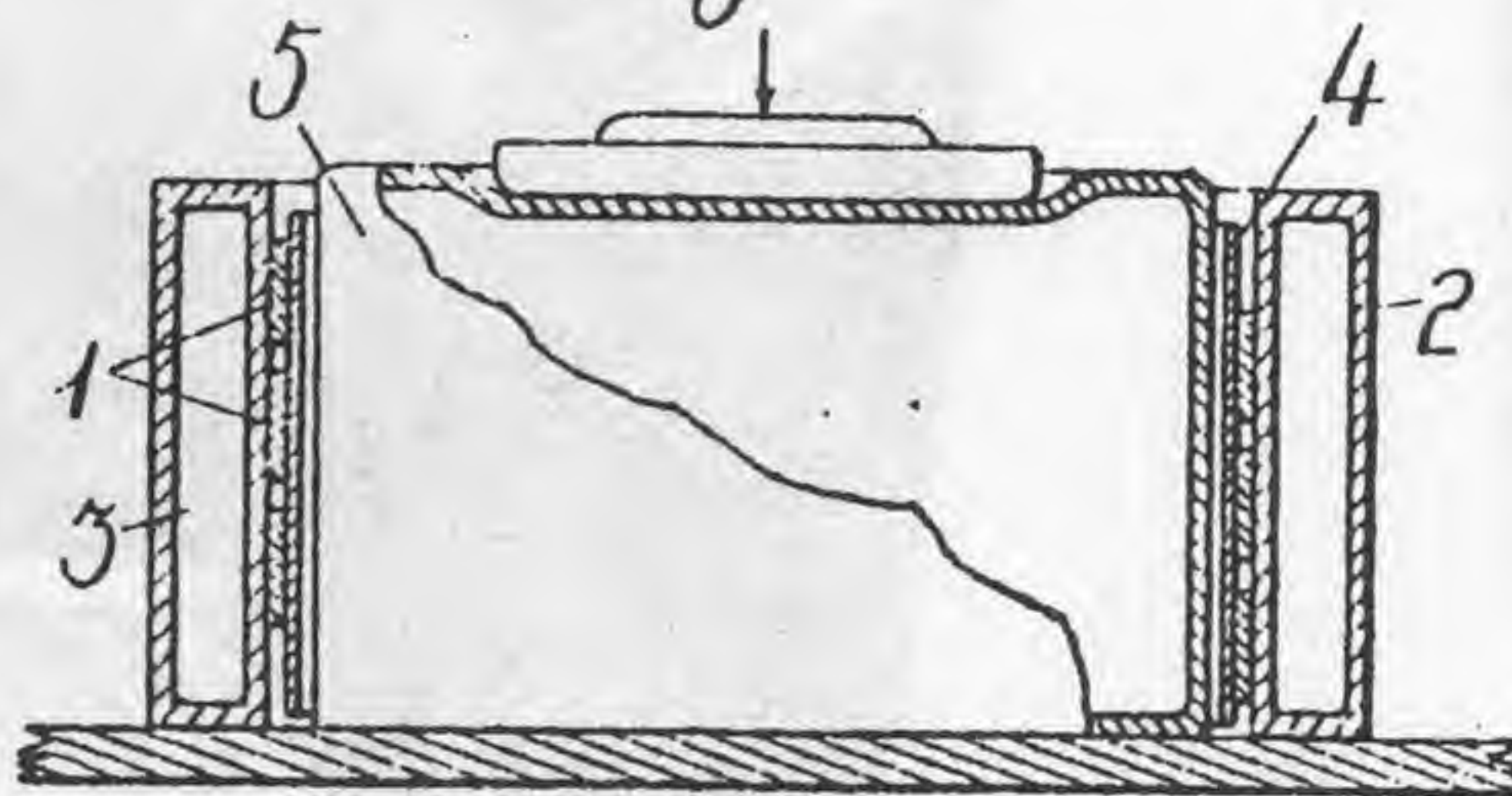
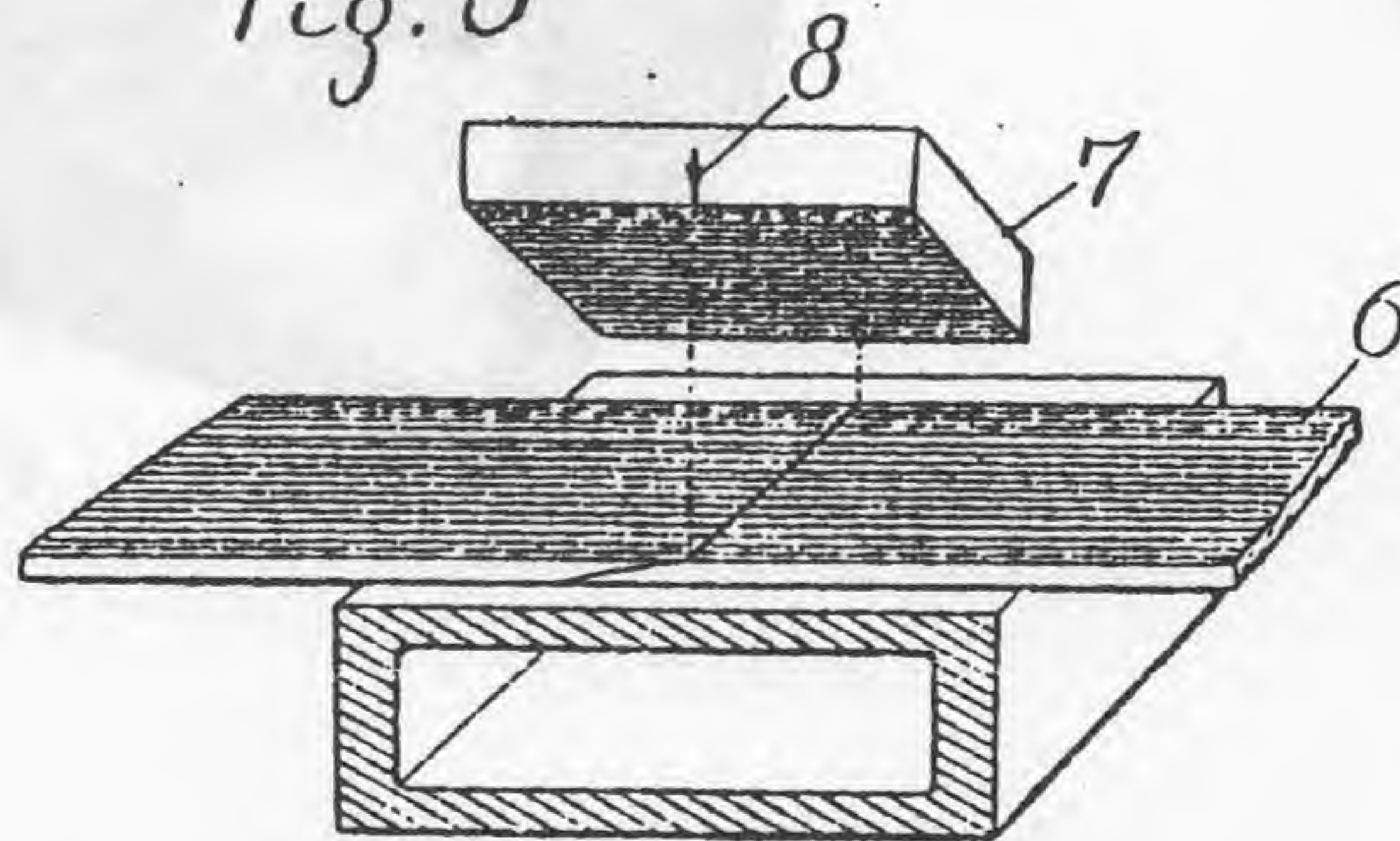


Fig. 3



Inventor,
S. Konishi
By E. F. Wendroth
Att'y

fig. 7

The belt itself has 23 loops and measures 42.7' of length. With a width of 1"¼, it can play for 36 minutes, and if it is an endless belt, it is, of course, not an endless sound track.

As the patent states: *"The object of this invention is to impress sound grooves on a long strip of film from a matrix previously made, and to joint the ends of the strip so as to accurately connect each sound groove to make a smooth continuous spiral track"*. To reach this goal: *"A long tape of was ordinarilly employed for sound reproduction is coated and connected around the rim of a wheel having a large diameter, say three meters (4.15 meters in fact) and the wheel is rotated on its axis at a proper linear speed. After the surface of the coated wax has been smoothly planed, a sound groove is recorded on the planed surface as a continuous spiral track with an ordinary sound recording machine, and the tape is cut at a marked point which is described hereinafter. The wax tape is removed from the wheel rim, and helically wound on a cylindrical form of about one meter (drawings 1 & 2 of fig. 7) in diameter and half a meter in lengh for galvanization, and a long metallic matrix is produced from this wax tape by known galvanization process. An other matrix which is called in this specification a retouching die (drawing 3 of fig. 7) is also prepared from the wax tape...about 3 centimeters in length...from a part of the tape in the neighbourhood of a point where the tape is to be cut when it is removed from the wheel rim"*.

By the same process as the one used to make blue Amberol cylinders *"the negative sound grooves on the matrix are transferred to the surface of the plastic cylinder as positive grooves... The plastic cylinder is then cut in spiral following the form of the matrix fitted in the metallic cylinder, so that a long strip of a plastic material with sound grooves thereon is obtained. The blank part at each end of a strip where no grooves have been engraved is cut off leaving a short length of about three millimeters at either end. Each end of the strip is cut off aslant in thickness, and the strip is spirally wound on a reel of a proper diameter. The ends of the strip are put together so as to overlap the aslant part applying paste between them... On this overlapped part is placed the retouching die so as to correctly coincide the negative grooves on the die with the grooves on the strip...and a pressure is given to the die while the overlapped ends are being heated. By this means, the sound grooves at the joint can be retouched, firmly connecting the ends in a uniform thickness"*.

These interesting machines and sound belts are certainly a rarity. According to Mr Funahashi, in addition to his two machines, he heard that only 3 or 4 more portable types still exist in Japan, but no other table type. If this is true, I had the chance to run across one of the very few machines still existing but, stupidly, did not buy it.

All my thanks to Mr Funahashi and Mr Koenigsberg for their invaluable informations.

Jean-Paul Agnard once operated a phonograph museum north of Québec City on the St. Lawrence River.

He can be contacted at 9812 rue Royale
St. Anne de Beaupré, Qué., Canada G0A 3C0

BLUE AMBEROL PRODUCTION

=new data=

by Ron Dethlefsen

Part I

"Producing Cylinder Record Moulds"

This article is an attempt to reconstruct the process for moulding cylinder records. I do not believe this information has appeared elsewhere, and I encourage readers with additional information or criticism regarding what I have written to address such comments to me. I'll be happy to forward them for publication in a future column in The New Amberola Graphic.

I have based my reconstruction of the moulding process on a series of notes and sketches drafted in 1970 by Dr. Paul Kasakove. Kasakove helped develop the high-speed process for Diamond Disc production, and he also had knowledge of Blue Amberol production; but it should be remembered that Kasakove's notes and sketches were made long after he was actively involved in record production. My thanks to Ray Wile and the staff at the Edison National Historic Site for unearthing this material.

It appears that the end result of the process was 100 working moulds produced from each master wax recording. Thus, three hundred working moulds could be made from three master waxes. These, in turn, could yield at least 150,000 Blue Amberol cylinders. In the case of wax Amberols or two-minute wax cylinders, 1000 cylinders could be obtained from one master wax, and 300,000 cylinders could be made in total from three master waxes.

Fewer Blue Amberols could be made per mould because the records were pressed under air pressure rather than by the less wearing gravity-flow wax moulding method. Perhaps this 50% drop-off of records-produced-per-mould was a reason why Edison delayed using celluloid as a material for cylinder records. Another reason for Edison's continued use of wax records commercially was the fact that unsold records that were returned by dealers could be melted down and thus recycled. Celluloid records could not be recycled.

In a previous article (see NAG #92) I mentioned how mould numbers on cylinders could be a clue to the actual amount of records produced for a given title. However, I now believe that the three master waxes from the

recording studio were numbered consecutively and that they did not have separate ranges of mould numbers. In other words, mould seven of master wax three ("...7" after "PAT'D") was the only mould number 7 used. After 100 working moulds of master wax 3 (...) were worn out, then master wax #1 or #2 could be put into use, but they would be numbered above 100. In the case of a big hit record, two takes would be put into production simultaneously. However, I assume that no duplicate mould numbers would be used. In any event, collectors can still approximate how many copies of a given title were made by reading the mould number on the cylinder's rim and multiplying by 500 if Blue Amberol, and by 1000 if wax Amberol. (Two-minute wax cylinders did not have mould numbers on their rims until January, 1909. Beginning in 1904, mould numbers were on the playing surface of the records below the engraved catalogue numbers that appeared on the rim.)

Masters were regularly damaged in the graphiting or plating process, thus limiting the number of commercial records possible from a set of three master waxes. There were other problems too, such as "blowouts." This problem was described to me by Theodore Edison during a 1985 interview. Mr. Edison said that a rubber inner tube was inflated inside the working mould to literally press the celluloid tube into the wall of the mould to form a Blue Amberol record. They blew out regularly due to wear or over-inflation, and mould damage could result. And then there is the strange case of working moulds being damaged by unhappy workmen in the press room. This happened in the spring of 1913, according to the minutes of the Amusement Phonograph Committee for May 29, 1913. The exact cause of this worker unrest was not noted, but as a remedy, workers were charged the cost of any moulds damaged at their stations.

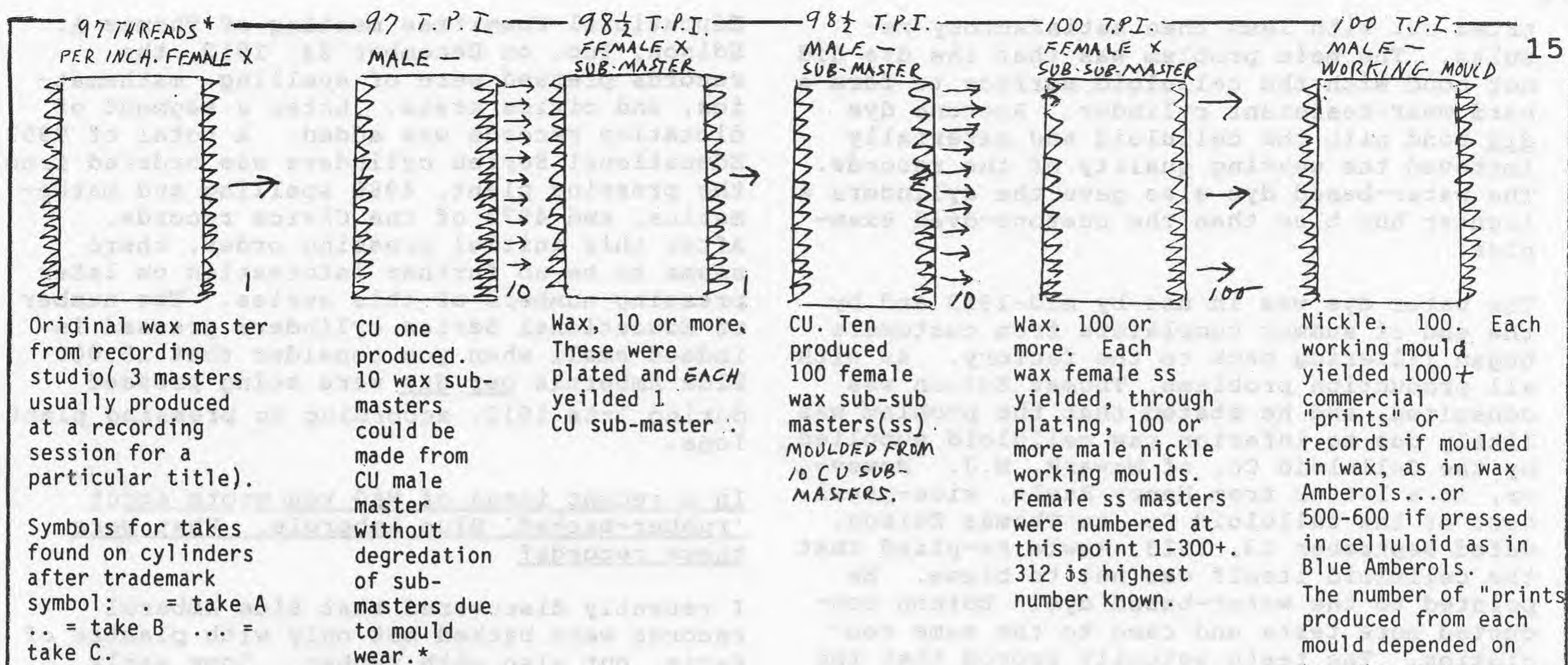
Part II

"Blue Amberols Revisited"

Here are some answers to frequently asked questions regarding Blue Amberols. I was able to gain this information on a visit to the Edison National Historic Site in West Orange, N.J. My thanks to archivists Doug Tarr and George Tselos for helping me locate this data.

Why do Blue Amberols exist in various shades of blue?

The short answer is...different types and strengths of dyes were used. For most of the years Blue Amberol cylinders were in production acetone-based dye was used, but for several months in 1913 a water-based dye was



From Master Wax to Working Moulds

*Perhaps more wax sub-masters could be produced from CU if quality were sacrificed. Volume decreased as extra copies were produced and the "land" or space between the threads wore down causing echoing of sound. These defects happened also if too many commercial records were produced from the working mould.

At Right: Ad from the May 9, 1913 Glen-dora Gleaner (Glendora, Cal.), courtesy of Jim Constantian. Note the sell-off of wax records at the authorized factory prices (see last issue of the Graphic, p. 9). Also note the misspelling of the word "Amberol" in two places! We wonder if the free record offer was sanctioned by Edison.

Below: The Plaut-Cadden Co. sold off their wax stock at even lower prices -- probably at a slightly later date.

While They Last

Edison Standard
Two Minute Records
Edison Amberol
Four Minute Records



17c each, \$1.75 the dozen
The Plaut-Cadden Co., Norwich, Conn.



Have you an Edison Phonograph? If you have and have never tried Mr. Edison's NEW INVENTION, the **Blue Ambrol Record** come and see us. We will give away absolutely **FREE** while they last a **BLUE AMBROL RECORD** to those who have never used one.

Another Big Feature is the **Diamond Point Reproducer** which stops all the metallic sound and makes the Edison Phonograph far superior to any on the market.

Don't Forget that you can buy
Wax, 2 minute records for 21c
Wax, 4 minute records for 31c

Glendora Drug Co.
The Rexall Store
Phone 1092

tried out with less than satisfactory results. The main problem was that the dye did not bond with the celluloid surface to form a hard wear-resistant cylinder. Acetone dye did bond with the celluloid and materially improved the wearing quality of the records. The water-based dye also gave the cylinders a lighter hue blue than the acetone-dyed examples.

The water dye was in use by mid-1913 and by the end of summer complaints from customers began filtering back to the factory. As with all production problems, Thomas Edison was consulted, and he stated that the problem was likely due to inferior raw celluloid supplied by the Celluloid Co. of Newark, N.J. However, in a letter from Henry Rawle, vice-president of the Celluloid Co. to Thomas Edison, dated September 13, 1913, Rawle re-plied that the celluloid itself was not to blame. He pointed to the water-based dye. Edison conducted more tests and came to the same conclusion. The tests actually proved that the water-based dye caused cylinders to show signs of wear after just six plays! Thus the water-based dye was abandoned and acetone use was resumed. The reason for switching to water-based dye may have been the toxic nature of the acetone. There is a notation in the files that a new building had to be constructed for acetone dyeing when the process was resumed.

There was one remaining problem related to water-based dye. Namely, what was to be done with 388,000 water-dyed Blue Amberols in storage at the factory? Furthermore, what about those water-dyed records that were already in the hands of customers? Again, Thomas Edison was consulted. He instructed his dealers to give customers who complained free replacement records, but not to volunteer any replacements. As to the 388,000 defective Blue Amberols still at the factory, Edison's answer was to ship limited quantities of these records out with regular orders. Thus shipments were to contain 2% water-dyed records. In other words, any orders that were received containing selections which matched those in the water-dyed stock would be shipped with 2% water-dyed records until the 388,000 records were largely disposed of.

Why are the Educational Series Blue Amberols so rare?

The main reason appears that so few were pressed. And it seems that most of those pressed did not sell well. The series was numbered from 1651-1710, and it formed a portion of the popular series of Blue Amberols. The six Civics records containing famous speeches recited by Harry Humphrey seem to be the only Educational Series records which sold well. Listening to speeches [such as "Lincoln's Speech at Gettysburg," #1751] was a popular form of entertainment years ago, and so these records found their way into many collections.

According to the minutes of the first

Educational Committee meeting of Thomas A. Edison, Inc. on December 24, 1912, the records pressed were of spelling, mathematics, and civics areas. Later a segment of dictation records was added. A total of 9953 Educational Series cylinders was ordered from the pressing plant, 4980 spelling and mathematics, and 4973 of the Civics records. After this initial pressing order, there seems to be no further information on later pressing numbers of this series. The number of Educational Series cylinders pressed is indeed small when you consider that 15,000 Blue Amberols per day were being pressed during late 1912, according to pressing plant logs.

In a recent issue of NAG you wrote about 'rubber-backed' Blue Amberols. What were these records?

I recently discovered that Blue Amberol records were backed not only with plaster of Paris, but also with rubber. Some early transfer process Diamond Discs may also have had rubber-coated cores, or powder blanks (see U.S. Patent No. 1,146,414). From their introduction in November, 1912 until some date in 1913 the records had their interiors coated with liquid rubber before being backed with plaster of Paris. Edison believed that the rubber backing improved the tone of the records and loudness too.

However, according to a November 17, 1913 memo from Walter Miller, Edison's main recording expert, production of Blue Amberols could be considerably cheapened by doing away with the rubber coating. So Edison proposed a test and called for sample records, backed and unbacked. Eight cylinders, four vocals and four bands, were sent by Miller, with title ends marked on the rubber-backed ones. Edison tested them and sent back this memo to Walter Miller: "Walter I did not know which was which = If a man cant tell the enormous difference between rubber & no rubber he better study records a little more." Edison found in the test that some records were 25% to 39% louder and had less surface noise than others, but he evidently couldn't say that rubber coating made the difference for sure. Thus, rubber-backed Blue Amberols may have been discontinued after late 1913. It would be interesting to cut apart several Blue Amberols of the period to see if rubber residues are on the celluloid cylinder shells. However, I don't possess any Blue Amberols that I want to sacrifice. I'll leave that investigation to other collectors.

Presently, I'm still investigating the research materials regarding napkin ring Blue Amberols. More about them later, plus other Blue Amberol custom pressings.

* * *

Ron Dethlefson is the publisher of several Edison-related reference materials (see his ads on the pack page of this section). He may be contacted at 3605 Christmas Tree Lane, Bakersfield, CA 93306.



The Case of the Scarlet Record Labels

RCA-Victor (Plaintiff)
vs.
Columbia and Decca (Defendants)

I would like to thank Dan Morgenstern, Director, Institute of Jazz Studies, Rutgers University, Newark, New Jersey for allowing me the use of the Institute's research facilities.

(Part 8) Introduction

The last installment of this column concluded the testimony given in the 1943 case of RCA-Victor, with their famous Red Seal label, against Columbia and Decca, who had also been using a red label in recent years.

While some readers have been bored to death with this trial, others have expressed interest from both legal and historical perspectives (several facts and figures covering the early years of the industry came out in the transcript). Mercifully, however, the trial is over, and Judge Woolsey is about to give his decision.

But before we go to the judge, we invited our readers to share their thoughts as to how they would have judged if they sat on the case. Frankly, we had a very small response, but the decision was overwhelmingly in favor of RCA. After all, it was their red label (which we saw was granted trade-mark status) which was infringed upon. We thank those who participated, and as Judge Woolsey is coming down the hall, the editor has one thought about the testimony to interject. Martin?

Herman, I thought it was odd that Columbia never made the point that the repertoire they chose for their red label was strictly pop. I think they lost a round when they didn't point out clearly that records by Benny Goodman, Harry James, Kate Smith, etc., could

hardly be considered on the same plane as the artists found on Victor's Red Seals. And surely no record buyer who wanted a symphony, concerto or operatic aria would be confused by swing and dance titles on Columbia's red label! Oops, hear comes the judge. We'll be back after his decision with some of the fascinating tidbits we promised! -- M.B.

-- XXX --

JUDGE WOOLSEY: The causes against the two Decca defendants, the Columbia defendants, and the Times Appliance Company are hereby dismissed, with a grant to the said defendants of all taxable costs, disbursements and allowances.

I. For convenience in discussing these causes, I shall hereinafter refer to the plaintiff as Victor, and the defendants in the two causes as Decca and Columbia respectively.

The two causes, although not consolidated by order, were tried together on stipulation that unless otherwise specified, all evidence was to be considered as taken in both causes.

II. Victor, Columbia and Decca, among other companies, make some records with red labels in their centres, and the only real question posed for me to decide is whether the use of labels of a red color - and this alone - leads to confusion among retail buyers of records and promotes or tends to promote the passing off of Columbia or Decca records in the place of Victor records when the ultimate consumer purchasing is a normal man who can read and is of reasonable native intelligence.

III. In view of Rule 52(a) of the Rules of Civil Procedure, 28 United States Code, following section 723c, it is now a work of supererogation to write a considered opinion on the facts and the law in a non-jury cause or proceeding, for its place will be taken by formal findings of fact and conclusions of law separately numbered and stated.

In this proceeding, therefore, in spite of the long time that was occupied on the trial, I shall only very briefly refer to such facts as I think will explain my decision, and give a statement of my conclusions of law thereon.

IV. As the late Emory Buckner, Esq., a really great trial lawyer, one truly remarked:

"There is no such thing as a democracy of facts".

That was a very wise remark, for, in every trial, there emerge some facts which are the master or control facts, about which the disputed facts will inevitably group themselves, as will iron filings about the ends of a magnet, - although the disputed facts usually do not form so orderly a pattern as do the filings.

The approach to a decision through the master facts is the only reasonably safe approach to the solution of the facts developed in a cause. As in golf the proper stance and the proper cadence of one's swing tends, without insuring accuracy, to make a stroke accurate, as an habitual good technique of approach to a decision of the fact in a cause tends to bring about a correct solution of those facts. But, as in golf, the terrain may result in having the ball come to rest in unexpected places. All that a Judge can be sure of is that he follow a good technique.

The master facts in a cause, in the or-

der of their objectivity are, I venture to say -

- 1) Admitted facts,
- 2) Facts conceded by counsel at the trial, and
- 3) Facts proved by such a preponderance of credible unchallenged evidence as to establish them beyond peradventure.

V. The master facts in this cause are -

- 1) The incorporation and, hence, the residence of the parties.
- 2) The registration of the trademarks involved, with the validity of which I shall later deal.

3) The use of the centre of disc records from time - in effect, for my purposes - immemorial, to carry the label of the record, which always contains the name and at least some of the trademarks of its maker, the composition recorded on it and the name or names of the recording artist or artists.

4) That about one-third of the spectrum, visible to the normal human eye, is occupied by red or reddish color.

5) That the favored colors used in the record industry for labels on the centre of disc records have always been red, blue and black.

6) That the labels or identifying marks on disc records have always been placed at the centre thereof.

7) That the centre of disc records, as always and at the present made, is a functional part of such records needed to ensure that the needle of the phonograph will follow the sound grooves properly, and through ingenious devices, produce the sound which is the third, - or, perhaps it should be called, the fourth - dimension of the record, and the only raison d'etre thereof.

8) That in every circular disc record - looking from the perimeter in towards the centre - we find, concentrically arranged: first, a narrow rim to the record; second, the ring of sound grooves, which occupy an area large or small, according to the amount of music to be played on the record; third, an annular space without sound grooves varying in width, according to the area occupied by the sound grooves; fourth, indented on a slightly lower plane the label of the record, giving the composition, the name of the recording artist or artists, and, at least in the case of the three companies here involved, the clearly printed name in large type of each company and some of its other trademarks, if any; and, then, fifth, in the exact centre of each record is the spindle hole through which a spindle passes holding the disc in position on the turntable of the phonograph, as will a little later herein be mentioned.

9) That the label is pressed, by a formerly patented process, into the substance of the disc when the record is pressed, and so in effect constitutes an inherent part of the record.

I have already mentioned above that the centre of the disc record, whereinto - as records are now made - the label is pressed, as a functional part of the record whereby the record is so held in position by a spindle passing through the central spindle hole of the disc, as to make the needle of the phonograph follow the sound grooves and not damage the record.

VI. The color of the label is not functional qua color, as has been held in respect of matches with two colors, one on the head and one on the tip where they are to be struck. Cf. Diamond Match Company v. Saginaw Match Company, (C.C.A.6), 142 Fed. 727, 729, 730.

It seems to me, however, that it cannot properly be contended that a colored round label, affixed to the circular centre of a circular disc record, is the use of color in the form of a de-

sign, as it must be to constitute a trademark. Cf. Lescher Rope Co. v. Broderick, 201 U.S. 166, 171. The circular shape of this centre is incapable. All that has happened is that a functional part of the record has been colored, not that a design has been achieved.

This renders void the plaintiff's trademarks, for color qua color may not be a trademark.

Whether the registered trademark of the words "Red Seal" is merely a descriptive term, and not a fanciful or arbitrary term, I need not, and do not, decide for reasons hereinafter given, although many of the plaintiff's witnesses used the term "Red Seal" and red label interchangeably, and thus quite unintentionally showed that the words "Red Seal" were really descriptive of and not an arbitrary term for a red label in the centre of a disc record.

I do not have to decide this question as to the words "Red Seal", for the trademark of the words "Red Seal" shares, as a trademark, inevitably the fatal infirmities of the color red as a trademark for the reasons involved in the physics of light with which I shall now essay very briefly to deal.

VII. White light, as dispersed into colors by a prism, constitutes the spectrum, and is illustrated by the annexed colored representation thereof.

Apropos of this, several observations should be made, based on evidence of the experts - Professor Hardy, of the Massachusetts Institute of Technology, and Professor Hecht, of Columbia University - called respectively by Victor and Columbia.

These observations are:

First: What color is seen by the normal eye depends on the wave lengths given off by the color in question.

Second: From a macrocosmic viewpoint, the wave lengths of color viewed as light visible to the normal eye occupy a very small band of the whole number of wave lengths recognized by physics. Cf. Color as Light, Exhibit 426, at page 5.

Third: The visible color spectrum wave lengths are measured in millimicrons, cf. page 5 of Exhibit 426, and extend from 400 to 700 millimicrons inclusive.

From circa 610 to 700 of the said wave lengths the color to the normal eye is of red hue, shading from the deepest red until by gradations of color it gradually turns to orange as illustrated in the appended sketch.

Thus circa one-third of the visible spectrum is of a red or reddish color. From the use of any part of this broad color band on labels of disc records, the plaintiff claims the right - to put it in the mildest form - to file a caveat against all other makers of disc records on the pain of their creating, what the plaintiff is pleased to call, "instruments of fraud", challengeable by appropriate Court proceedings.

To me, under the circumstances shown in this cause, this seems to be an egregiously exaggerated claim.

A trademark for a red centre to a record, -secured, as here, ex parte, or for the phrase "Red Seal", also so secured, - is far too broad a zone of potential exclusion of others, whether it be viewed as a registered trademark, or as a common law trademark, or as a secondary meaning for the words "Red Seal".

I find that the words "Red Seal" have achieved a secondary meaning as the product of the plaintiff and its predecessors. But clearly the words "Red Seal" intrinsically are cursed with the same trademark infirmity as is the use of the color red. Its objective is the same, as just noted above, and it is far too broad in its potentiality

ties of exclusion to be countenanced by a Court.

So we are faced by an invalid secondary meaning which cannot take the place for remedial purposes of an invalid trademark. Cf. Standard Paint Company v. Trinidad Asphalt Manufacturing Company, 220 U.S. 446, 46.

VIII. If I am right in this holding, we are driven to consider the question in these causes as a question of whether there was naked, unfair competition, cf. Standard Paint Company v. Rubberoid Roofing Company, 224 Fed. 695, 698 (C.C.A.7), whereby the records of Columbia and Decca, under all the circumstances shown in this cause, reasonably could have been confused with, or passed off as, records of Victor.

IX. Federal jurisdiction herein was originally based on the fact that the trademarks on which the suit was based were registered under the Trademark Act, 15 United States Code, Section 81 et seq.

Having held such trademarks were invalid, I am left in the Columbia cause with a controversy as to unfair competition between a corporation of the State of Delaware, the plaintiff, and one defendant corporation, which is also a citizen of Delaware. This lack of diversity of citizenship, under the circumstances, does not foreclose the Federal Court's jurisdiction of the Columbia cause, but leaves me, under the decisions of the Supreme Court, with what I may, perhaps, aptly call derivative jurisdiction. See Armstrong Paint & Varnish Works v. Nu-Enamel Corp., 305 U.S. 315, 325, and Hurn v. Oursler, 289 U.S. 238.

X. Herein the plaintiff's contentions are that the red color of the label at the centre of a record lays a foundation for confusion which may be the basis for sustaining a claim of unfair competition on the recognized right not to have an object created whereunder there is a reasonable potentiality that B's goods may be passed off as A's product.

I do not find credible proved instances of the creation of such potentiality or of any passing off, and, in view of the circumstances under which records are sold, no inherent probability of such passing off on any person possessing a full equipment of senses.

The highly artificial evidence of the plaintiff's investigators wholly failed to impress me. Cf. Coca-Cola Co. v. Carlisle Bottling Works, 43 F. (2d) 101, 117, 118, affirmed 43 F. (2d) 119 (C.C.A.6); New England Confectionary Co. v. National Wafer Co., 224 Fed. 344, 347 (C.C.A.1); Rathbone Sard & Co. v. Champion Steel Range Co., 189 Fed. 26, 32, 33 (C.C.A.6).

Disc records are commodities which are sui generis. They are not bought, for example, as are biscuits or ale, or beer, or medicines. They are, supposedly, instruments of aesthetic delight. At least, that is the purchaser's - and the seller's - approach to them.

Records are considered purchases. I am satisfied beyond any doubt that before buying a record, between fifty percent and sixty percent of retail purchasers of records take them, put them on the turntable of a phonograph in the shop and play them before buying them. The rest of the retail purchasers of records order them by name from catalogues of records with which the modern world seems to be flooded.

XI. The facts in regard to the spectrum above noticed may explain why it has so wisely become almost a judicial cliché, to say there cannot be a trademark in color, and also why, in spite of the pressing of millions of red centered records, the plaintiff hitherto paid only, what may fairly be called, sporadic attention to them until it be-

gan preparation for these causes.

I am almost persuaded that what the plaintiff dislikes is not what it is pleased to call unfair competition, but is any competition whatever.

Indeed, the more I ponder on these causes, the less meritorious the plaintiff's claim appears to me. I will go so far as to state that I carried away from the trial the distinct impression that on the question of confusion and passing off, some of the witnesses employed by the plaintiff seemed to share my lack of belief in the plaintiff's case. E.g. The evidence of Murray, the present general manager of the Record Division of the plaintiff, called by Columbia. They seemed to be satisfied, as I am, that records are not sold by color but for sound.

"I am almost persuaded that what [Victor] dislikes is not what it is pleased to call unfair competition, but is any competition whatever."

XII. Instead of turning over the making of the findings of fact and conclusions of law to the defendants Decca and Columbia as the winning parties, and in order to save time, I have followed the short form of such findings and conclusions which will be found approved in Armstrong Co. v. Nu-Enamel Corp., 315 U.S. 315, at page 321, and which I used successfully in American Brake Show and Foundry Company v. Alltex Products Corp., 117 F. (2d) 983.

I file these findings and conclusions herewith. May 13, 1943

Woolsey

.....
United States District Judge

POSTSCRIPTUM

The trial of these causes began on January 24, 1943, and the argument was finally concluded on April 29, 1943. It was, therefore, I believe, one of the longest trials in a cause of trademark and unfair competition which has been held.

Sometimes it seemed during the course of the trial as if it were not a litigation, but a way of life; and I think I told the counsel so. However, it was a litigation, and even the longest litigation leads at last to a decree.

It is a very pleasant thing for a Judge to have before him such counsel as I had in the present cause. I should be lacking in my manners if I did not express to all counsel my deep appreciation of the efforts they made in their trial briefs and during the trial to make matters easy and clear for me.

Woolsey
U.S.D.J.

cont.

We promised to share some fascinating information with you after the trial was over as a reward for your patience throughout the ordeal.

It seems that the defendants (with the aid of Columbia's attorneys) prepared a listing of as many red label brands as they could come up with which were in existence at some point prior to the date of the trial. Added to this compilation were the estimated dates of existence and pressing figures. The purpose for the numbers was to show the court that there had been literally millions of red label records produced before the suit, and this tactic evidently had great sway with Judge Woolsey when he said, "...why, in spite of the pressing of millions of red centered records, the plaintiff hitherto paid only...

sporadic attention to them." A second purpose of the listing was to disprove Victor's claim early in the case that there had been only a few red label records pressed by "chisellers" and "fly-by-night" concerns, and that most or all were out of business by the time of the Depression.

Their compilation was not without errors, and we have made no attempt to correct them. There are also some definite issues as to what constitutes a "red" label -- is the very dark maroon Domino label truly red? (And do the figures really indicate just this style, as the compilers claim, or all Domino records, whether red, black, purple or gold?) The chart below, then, combines information from their compilation just as they presented it.

<u>LABEL NAME</u>	<u>MANUFACTURER</u>	<u>TYPE OF MUSIC</u>	<u>APPROX. PERIOD OF TIME OF SALE</u>	<u>APPROX. NUMBERS SOLD</u>
Banner*	Carl Lindstrom	Popular	1925-1928	13,000
Champion	Star Piano Co. (sic), Champion Records. Decca Records, Inc.	Popular	1920 to date	3,500,000
Commodore	Commodore Music Shops	Popular	1938 to date	85,000
Connorized	Star Piano Co.	Popular	1921-1925	405,000
Conqueror	Regal Record Co. Scranton Button Co. American Record Co.	Popular	1928 to date	6,300,000
Domino	Regal Record Co. Plaza Record Co. Domino Record Co. American Record Co.	Popular	1924-1936	6,500,000
Harmograph	Scranton Button Co.	Popular	1924-1925	3,500
Harmony	Columbia Phono. Co.	Popular	1925-1932	12,000,000
H.M.V.	Gramophone Co., Ltd.	Classical	1900 to date	**
Jewel	Jewel Record Co. Regal Record Co. American Record Co.	Popular	1927-1931	3,000,000
Nipponophone	Nipponophone Co. of Japan	Japanese	1928-1941	***
Odeon	International Talking Machine Co., m.b.h. American Odeon Corp. Okeh Phonograph Corp. General Phonograph Corp.	All types	1914-1931	30,000,000
Oriole	Regal Record Co. Scranton Button Co.	Popular	1924-1928	10,000,000
Perfect	American Record Co. Pathe Phonograph & Radio Corp.	Popular	1915-1939	15,000,000

Romeo	Cameo Record Co. American Record Co.	Popular	1927-1937	10,000,000
Royal****				10,000
Roycroft	Wm. H. Wise & Co.	Popular	1928-1934	40,000
Symphonola	Larkin Co., Inc.	Popular	1922	20,000
Health Builders	Health Builders	Physical Education	1923-1934	45,000
Beeda	Scranton Button Co.	Popular	1925-1926	11,000
ICS	Scranton Button Co. International Cor- respondence School	Educational	1925-1936	60,000
Stampoul	Scranton Button Co.	Popular	1926-1929	13,000
Theatre	American Record Co.	Popular & Classical	1931-1937	60,000

"Sales figures on red-labeled Autograph, Black Swan, Paramount, Polonia and Puritan records are presently being investigated and compiled. Upon information and belief these red-label brands sold many millions."

"Sales figures on red-labeled Globe, Grey Gull, Madison, Radiex and Supreme records are presently being investigated and compiled. Upon information and belief, these red-labeled brands sold many millions."

"Sales figures on red-labeled Bell records are unknown, but defendants state, upon information and belief, that this brand sold in the hundreds of thousands."

* Something is definitely wrong here. The first section lists this brand name as "Bauner." The figure shown is probably for the handful of red label Banner records pressed earlier in the 1920s and does not even take into consideration the thousands of red label Banners manufactured by A.R.C. in the 1930s.

** "Approximately 100,000 red-labeled H.M.V. records were sold from 1934 to 1940 by only one of plaintiff's fifty-eight distributors in the United States. It is believed that the sale for the entire period indicated runs into the millions."

*** "Approximately 500,000 red-labeled Nipponophone records were sold in Japan and the United States between 1933 and 1938."

**** It is unclear which "Royal" label these figures reflect. The first section lists two labels named "Royal" and one named "Royale."

CAUTION: It is important to remember that this chart is full of errors (Perfect began long after 1915; there are no red label Madisons; there were probably more than 20,000 Symphonola records, etc., etc.), and that pressing figures are not just for red label pressings in all cases. However, collectors will nevertheless find the numbers fascinating to compare.

"...there cannot be a trade-
mark in color" -Judge Woolsey

(Oh yeah? See next page!)

More than half a century has passed since Judge Woolsey decided RCA had no legitimate trade-mark claim to the use of a red record label. Most of us in this high-tech age of the 1990s would be inclined to say, "Well of course you can't trade-mark a color! Isn't that obvious?"

And then, in the course of this series, reader Harold Flakser came across the following article in *The New York Times*. Lo and behold, a Supreme Court ruling last year upheld the use of color!

One final nagging thought cannot be overlooked: If Justice Breyer had sat on the 1943 case, could the course of record labels have been changed forever? You be the judge!

THE NEW YORK TIMES, WEDNESDAY, MARCH 29, 1995

High Court Ruling Upholds Trademarking of a Color

By LINDA GREENHOUSE

WASHINGTON, March 28 — The Supreme Court ruled unanimously today that color can be registered as a trademark when it distinguishes a particular product and serves no other function.

The decision, written by Justice Stephen G. Breyer, resolved a dispute among the lower Federal courts and upheld the longstanding position of the Patent and Trademark Office.

The North American Free Trade Agreement, among other international economic agreements, includes trademark protection for color. The Clinton Administration urged the Supreme Court in this case to overturn a 1994 ruling by a Federal appeals court in California that "color alone" was ineligible for registration as a trademark.

The case was a victory for a Chicago manufacturer, the Qualitex Company, which since the 1950's has used a particular shade of green-gold for the pads it makes for use on dry-cleaning presses.

Qualitex registered the color as a trademark in 1991 and brought a trademark infringement suit against a rival company that had begun making pads in the same color. Qualitex prevailed in Federal District Court in Los Angeles, but its victory was overturned by the United States Court of Appeals for the Ninth Circuit, in San Francisco. The appeals court ruled that the Lanham Trademark Act, the basic Federal law in the area, did not permit a trademark for "color alone."

Under the Lanham Act, "any word, name, symbol, or device" may be eligible for trademark registration. Because the 1946 law does not mention color, courts have arrived at differing interpretations. In one precedent, the United States Court of Appeals for the Federal Circuit, which sits in Washington, ruled in 1985 that the Owens-Corning Fiberglas Corporation could register the color pink as a trademark for its residential insulation products.

In his opinion today, Justice Breyer said there was no reason not to regard color, under appropriate circumstances, as a "symbol" within the meaning of the Lanham Act.

"There is no rule absolutely barring the use of color alone," he said, noting that trademarks have been

authorized for shapes, sounds and even smells. "If a shape, a sound, and a fragrance can act as symbols, why, one might ask, can a color not do the same?" Justice Breyer said.

The decision, *Qualitex v. Jacobson Products*, No. 93-1577, had several qualifications. For a color to qualify as a trademark, Justice Breyer said, it had to have attained a "secondary meaning" that "identifies and distinguishes a particular brand."

And the color cannot serve a significant function of its own beyond the identification. Competitors would be put at a particular disadvantage if color that served a function could be registered, Justice Breyer said.

The Federal Circuit appeals court ruled last year, in a case now on appeal to the Supreme Court, that a manufacturer of outboard engines could not register the color black as a trademark for its engines because the color served purposes beyond simple identification.

The court found that black made outboard engines look smaller, a desirable feature, and was also compatible with many different boat colors. The Justices will announce shortly whether they will review that decision, *Brunswick Corp. v. British Seagull*, No. 94-1075.

In his opinion today, Justice Breyer examined and rejected the general arguments against permitting color as a trademark. Chief among these was the asserted problem of "shade confusion," under which the use of one color as a trademark is said to confuse competitors and customers.

"Courts traditionally decide quite difficult questions about whether two words or phrases or symbols are sufficiently similar, in context, to confuse buyers," Justice Breyer said, giving examples ranging from Bonamine and Dramamine (both motion-sickness drugs) to Huggies and Dougies, two brands of diapers.

He said that customers benefit by being able to use color to identify products they like or dislike. Owners of color trademarks benefit, he said, because they can "reap the financial, reputation-related rewards associated with a desirable product" while at the same time discouraging "those who hope to sell inferior products by capitalizing on a consumer's inability quickly to evaluate the quality of an item offered for sale."

OUR 1996 CONTEST

It's a photo contest, so get your Kodak polished up and a good supply of "flims" (as Uncle Josh called them). Send us your original picture (old or new) of an animal and a phonograph; it can be any animal(s) and any phonograph(s). The only rules are that the photo must not have been published elsewhere, and there is a limit of one photo per contestant. We will print all entries in a future issue (probably #96, to allow entrants enough time), and all photos will be returned. Our readers will vote on the one they like best, and a prize will be awarded to the one with the highest votes. So c'mon! Start looking for interesting subjects, and join in the competition.

Obituaries

WILLIAM ROBYN

Radio, Record and Concert Artist Dies at the Age of 101

The Last Surviving Radio and Recording Star of the Early 1920s?

Cantor William Rubin, better known to record collectors by his nom de disque William Robyn (or "Wee Willie Robyn"), died on April 12, 1996, at the age of 101, in Englewood, NJ. He made hundreds of acoustic and electric recordings during the 1920s, primarily of popular and ethnic titles, for numerous labels. Born in poverty in Pasiene, Latvia, in 1894, Robyn emigrated to the U.S. alone and penniless in 1913. He entered vaudeville as a "boy tenor" in 1916 (his short stature and youthful looks allowed him to pass as a teenager), and made his first trial recordings in 1918, for Victor and Columbia. He recorded extensively from 1919-1931, including stints as an exclusive Victor artist from 1920-1923, and an exclusive Cameo artist from 1923-1927. Simultaneously he had a very successful career on stage, on radio (as an original member of "Roxy's Gang"), and in concert recitals. He left show business in 1939 to become a Cantor, and served at Temple Israel in White Plains, New York, for nearly 20 years before retiring in 1965. His biography and discography were published in the *ARSC Journal* in 1992.

He leaves no direct descendants, but grand nieces, nephews and cousins in Texas, New York and Massachusetts.

--Tim Brooks

Mercer Ellington, 76, Dies; Led His Father's Band

By The Associated Press

Mercer Ellington, a trumpet player, arranger, composer and band leader who had led the Duke Ellington Orchestra since his father's death in 1974, died Thursday in Denmark. He was 76.

Mr. Ellington's daughter, Mercedes, said that her father died of heart failure in a Copenhagen hospital.

The only child of Edward Kennedy (Duke) Ellington and his wife, Edna, Mercer Ellington studied at Columbia University and the Juilliard School of Music.

Before taking over his father's orchestra, Mr. Ellington led small groups including a band that featured Carmen McRae as vocalist. She made her recording debut with that band. He also worked as a salesman, disk jockey and record company executive.

Ellington worked on and off as trumpeter and band manager with the Duke Ellington Orchestra. He took over in 1974, when his father died.

One evening in 1941, his father told him that the band needed a new tune



Mercer Ellington

to record the next day. That night, he wrote "Things Ain't What They Used to Be" and presented it at a recording session the next morning.

He helped his father compose "The Three Black Kings" in a hospi-

tal during the last five months of Duke Ellington's life.

Other compositions by Mercer Ellington include "Blue Serge," "Moon Mist," "The Girl in My Dreams" and "John Hardy's Wife." He was music director and conductor of "Sophisticated Ladies," a revue based on music by his father, from 1981 to 1983. He also conducted his father's only opera, "Queenie Pie," in Philadelphia and at the Kennedy Center for the Performing Arts in Washington.

Mr. Ellington received a Grammy Award in 1988, in the big-band jazz instrumental performance category, for "Digital Duke."

He wrote a biography of his father in 1978, "Duke Ellington in Person."

He lived in Copenhagen and New York. He is survived by his wife, Lena, who is Danish, and four children, Edward Kennedy, Mercedes, Gaye and Paul.

Dick Jurgens, 85, band leader

ASSOCIATED PRESS

SACRAMENTO, Calif. — Dick Jurgens, 85, a composer and orchestra leader considered one of the greats of the big band era, has died of cancer.

Mr. Jurgens, who died Thursday at Sutter General Hospital in Sacramento, was a professional musician by age 14. He got his start as a trumpet player in a hotel's basement ballroom.

The Sacramento native grew to be an internationally known musician, whose band played at the White House and in almost every state.

During World War II, he had three tunes simultaneously on the *Lucky Strike Hit Parade*. He was a cowriter of "Elmer's Tune," "One Dozen Roses" and "Careless."

Mr. Jurgens served in the Marines during World War II, organizing and leading a band that performed in the Pacific islands.

"After each island was taken, he would follow in behind with entertainment for the boys," longtime friend H.L. McMillen recalled Thursday.

Mr. Jurgens is survived by a son, a daughter and a sister. His marriage to Marian Davidson ended in divorce.

Martin Ormandy, 95, Cellist With the Philharmonic, Dies

By ALLAN KOZINN

Martin Ormandy, a cellist who played for 36 years with the New York Philharmonic and then became a fixture in many of New York's freelance orchestras for another three decades, died on Tuesday at Roosevelt Hospital in Manhattan. He was 95 and lived in Manhattan.

Mr. Ormandy played regularly with the New York Chamber Symphony, the Mostly Mozart Orchestra, the New York Pops and the orchestra of the New York Choral Society. He was easy to spot: at a time when most freelancers were under 40, Mr. Ormandy took pride in his status as the oldest working orchestral musician in the United States. Onstage, he projected an air of easygoing collegiality, and was often seen warming up at his seat long before the other cellists. He also bore an uncanny resemblance to his older brother, the conductor Eugene Ormandy, who died in 1985.

Mr. Ormandy was born in Budapest on March 6, 1901. By the time he was 12 he had become a good enough cellist to have several older pupils, and when he was 18 he became the principal cellist at the Budapest Opera. His parents, however, insisted that he prepare for a career besides music, so during his years as a student at the Franz Liszt Conservatory, he also enrolled at a university, where he studied mathematics and medicine.

In 1921, he followed his brother Eugene to New York, by way of Luxembourg, and took a job at the Capitol Theater, where Eugene was a violinist. He freelanced in theater and radio orchestras, playing both cello and saxophone until 1929, when Arturo Toscanini offered him a position in the New York Philharmonic. He remained with the orchestra until 1965.

During his Philharmonic years and for many years afterward, Mr. Ormandy was an enthusiastic cham-



Martin Ormandy

ber music player. He was a member of the New York Philharmonic Chamber Ensemble and the Corigliano Quartet, and he had his own trio and quartet, which were resident ensembles at Hunter College. He occasionally filled in at the Metropolitan Opera, where he once performed in costume as part of a stage ensemble for a production of Mozart's "Don Giovanni."

He barely cut back on his performing engagements, even after he turned 90, and had signed on to play at the Mostly Mozart Festival this summer. His last performance was with the New York Pops on May 7.

Mr. Ormandy is survived by his brother Laszlo Ormandy, of Falls Church, Va.; two daughters, Dolores Ormandy Newmand and Roberta Klein, both of New York, and four granddaughters, Lanie Klein, Melissa Newman and Christina Newman, all of New York, and Belinda Donnelly of Moscow.

Len Kunstadt, publisher of the long-running magazine Record Research, died suddenly this past spring at his home in Brooklyn, N.Y. at the age of 70. As of this writing no further details are available, and the future of Record Research is uncertain.

We were saddened to learn of the death this past winter of our columnist Brevoort Odell, at the age of 90, at his residence, Methodist Manor in Branchville, New Jersey. Mr. Odell wrote of his early collecting experiences for the GRAPHIC, and we do have some material we will be publishing posthumously in his memory.

Dick Jurgens began recording under his own name in October, 1934 for Decca. We are not aware of any earlier recordings of him as a sideman, but it's quite possible. We apologize for not running his obit earlier.

(Additional thanks to Doug Olds, Gavin McDonough, Bob Boyer, and Dan Morgenstern for information on the obituaries this month.)

Curiosity corner

"Nobody's Prefect"

by Martin F. Bryan

A few years ago New England Telephone sent out a flyer of corrections to their recent directory under this same title. Of course, they knew that most customers read the heading as "Perfect"; did you?

Even the largest of corporations made careless errors over the years, and the Victor Talking Machine Co. was no exception. Being without question the largest single manufacturer of phonograph records in the first three decades of this century, it is expected that they made their share of mistakes, and I thought it would be fun to share a few with you.

The first is a circa 1911-12 pressing of "Come Where My Love Lies Dreaming" by the Peerless Quartet. This must have been its last run as a single-sided issue, for it soon appeared coupled with "Home, Sweet Home" on

Victor #16663. But instead of the Stephen Foster melody, someone pulled out the stamper for "I'm Afraid to Come Home in the Dark." Imagine the surprise of, say, a grade school teacher who wanted to introduce the class to the famed American composer, only to have Billy Murray belt

out the 1908 hit tune, complete with its "tipsy" chorus! Whoever wound up with the disc, however, must have been am-used, for they never returned it to the dealer for an exchange. It's curious how the switch might have come about, because the catalogue number in the wax (5355) is nothing like the number on the label. Do any readers have additional copies of this same mismatch?

By the 1920s, many records were rushed into production in order to take advantage of their "hit" status. George Olsen's first "King for a Day" (#21566 from 1928) may have



gotten out before the label editor realized this was no fox trot -- as the corrected copy on the right indicates!

Finally, the next error is easy to understand. Stampers for 22143 were pulled out for pressings of 22134. Parents who had just invested \$.75 for a series of songs for the little ones may have been shocked, but I'll bet the kiddies were delighted to hear Jimmie Rodgers' "Everybody Does it in Hawaii" coming through loud and clear!



These errors are not isolated. It is even more common to find Victors with the labels reversed, or the same label on both sides. But coming across mistakes is an unexpected surprise, and it makes us realize that even the mighty Victor was not infallible.

HERE & THERE

Compiled for the GRAPHIC by
Sibyl Croly Hanchett

Congratulations to Paul Charosh for winning an Association for Recorded Sound Collections 1996 Award for Excellence for his book Berliner Gramophone Records: American Issues, 1892-1900. See his article "Emile Berliner, Buffalo Bill, and You" in our issue #94.

We received an inquiry this spring which is a little out of our realm, and perhaps some readers can assist. Grace M. Rule (111 Douglas Street, Camp Douglas, WI 54618) is looking for some recordings made by her father, Sherry Magee, for Vocalion/Okeh in the late 1930s. He recorded four sides as "Sherry Magee and His Dixielanders," and he was also filmed at the New York World's Fair in the Pabst Tent in 1939; he may also have made some radio transcriptions. If any readers can supply copies of her father's work (originals or on tape), would they please contact Mrs. Rule directly?

The project of updating our mailing list to include all nine digits of our readers' ZIP codes is nearly 50% complete. If we haven't got yours yet [please check your mailing label] will you kindly send it to us on a postcard? Or include it on your renewal form if you're due with this issue?



wanted

DICK SPOTTSWOOD'S moved, along with family, possessions & all the 78s, from Albanian to West Indian, more of which will always be welcomed at: 10511 De Neane Rd. Silver Spring, MD 20903. Phone: 301-431-2955; e-mail: rspottsw@capaccess.org (101)

WANTED: Emerson crank-up phonographs and parts. Emerson 6", 7", & 12" records. Also any Emerson related items, such as literature, record dusters, etc. Thanks, Herb Rhyner, 123 Columbus Place, Roselle Park, NJ 07204. (98)

Wanted: Instruction manuals for any 8-track recording machines. Original or good copy. Chisl, 3109 Contego Lane, Palm Beach Gardens, FL 33418. (95)

HELP! COLLECTOR OF MILITARY (CONCERT) BAND and wind and percussion solos, duets, etc. is in last stages of compiling Victor Company catalogues. Needs many records. Send lists with prices or ask for lists of wants. Need 7", 8", 10", 14" sizes. Particularly need "Consolidated Talking Machine," pre-dog "Eldridge Johnson", Monarch, DeLuxe types and educational. Also seek other labels: American, 7" Berliner (all performers), Columbia, Brunswick, Busy Bee, Climax, Cort, D & R, Diamond, Edison, Emerson, Federal, Gennett, Lakeside, Leeds, Little Wonder, Lyric, Marconi, Oxford, Pathé, Puritan, Rex, Silvertone, Star, Zonophone, etc. Cylinders too. Write: Frederick P. Williams, 8313 Shawnee Street, Philadelphia, PA 19118. (96)

WANTED: I need a mechanism for my empty Multiphone cabinet. Can you help? Jean-Paul Agnard, 9812 rue Royale, Ste. Anne-de-Beaupré, Québec, Canada. GOA 3C0. Tel: 418-827-5957; Fax: 418-656-2402. (94)

Wanted anything about: 1) Dolly Dawn and her Dawn Patrol; 2) Vernon Dalhart A.K.A. Jeff Calhoun, Toby Little, etc., etc. 3) Vaughn de Leath A.K.A. Gloria Geer, Gloria Vonderleath, etc. Records any format, photographs, sheet music, radio magazines, theatre playbills, posters and/or anything else. Melvin Alcorn, 3048 4th Ave., Sacramento, CA 95817. Phone (916) 457-8127. (96)

Wanted: Victrola Tungs Tone Needles (full tone) in red and gold tins. Alan Linderman, 18415 Lancashire Rd., Detroit, Michigan 48223. (313) 835-0457. (103)

WANTED. Exceptionally generous prices paid for excellent copies of the following black label Victors: [single-face] 52401 (Ferrari), 52501 (Giacomelli), 58389 (Melis, Taccani), 61115, 61118, 61119 (all Moreschi, also issued on Red Seal); [double-face] 63672 through 63681 (Chalia), 65203 (Korolewicz-Wayda/Brzezinski), 63521 (Bohuss), 65337 (Ferrari/Mangini), 65434 (Chalia/Reggiano-Colombo), 68137 (Giraud/DeGogorza), 73164 (Winogradoff), 73849 (Bye). Also the following Red Seal: 64065 - 64067 (Cavallieri), 64095 and 64097 (King). Also the following Vocalions: 30018 (Easton), 54019 (Crimi) and any special white label pressing of violinist Leopold Auer (there is one 10" and one 12"). Columbia Flags label: 36002-D (Ponselle), 20015-D (Gerhardt/Bloch); E4768, E4691, E4547 (Bjoerling Trio), 1422 or A208 and 1423 or A206 (Kocian-violinist), and Columbia 1194, 1195, 1198 (Adams); 1205 and A620 (Scotti), 1224 (Campanari), 1236, 1239 (Gilibert). Classical and speech records purchased (rare individual items and collections as well). Lawrence Holdridge, 54 E. Lake Dr., Amityville, NY 11701. Fax: 516-691-5207. ()

wanted

RUTH ETting!!! Anything pertaining to and picturing Ruth Etting that I do not have. Seeking musical short subjects ("talkies"), photographs, sheet music, radio magazines, theatre playbills, posters, stereoptican viewcards, etc., featuring Ruth. Russell Wilson, 14 Reynolds Drive, Wallingford, Connecticut 06492-3934. (96)

Wanted: 78 RPM foxtrots 1920s and '30s. Especially interested in items on unusual labels like: Autograph, Arto, Black Swan, Buddy, Champion, Claxtonola, Electradisk, Gennett, Herwin, Okeh Electric and True-tone, Savoy, Sunrise, Superior, Super-tone, Van Dyke and others. Tony Peterson, 10291 Mississippi Blvd., Coon Rapids, MN 55433. (612) 422-8889 or (612) 683-5621. (94)

Wanted: 1890's Pop recordings on cassette. Will pay top dollar for any of the recordings below on cassette and other early popular recordings. "After the Ball" George Gaskin-New Jersey or John York Atlee-Columbia; "Break the News to Mother" George Gaskin-Columbia 4156 or Edison 1583, Edison Male Quartet-Edison 2232, Steve Porter-Columbia 4586; "Curse of the Dreamer" Dan Quinn-Columbia 5822; "Daisy Bell" Dan Quinn-New Jersey or Chicago 2429; "Hello Ma Baby" Arthur Collins-Edison 5470, Len Spencer-Berliner 05 or Columbia 7470; "In the Baggage Coach Ahead" Dan Quinn-U.S. Phono. Co.; "Just Tell Them That You Saw Me" J.W. Myers-Columbia 6009, George Gaskin-Columbia 4020, Edison 1565, Berliner 189; "The Moth on the Flame" Albert Campbell-Columbia 7180; "My Mother Was a Lady" Dan Quinn-Columbia 5093; "My Old New Hampshire Home" George Gaskin-Columbia 4182, Berliner 068, Frank Stanley-Columbia 5636, Albert Campbell-Chicago 3074, Berliner 0136, S.H. Dudley-Berliner 1958; "My Wild Irish Rose" Albert Campbell-Berliner 0139, Edison 5720, George Gaskin-Columbia 4188; "On the Banks of the Wabash" George Gaskin-Columbia 4130, Edison 1570, Steve Porter-Berliner 1784, Columbia 4548, Roger Harding-Edison 2042; "A Picture No Artist Can Paint" Steve Porter-Columbia 4599, George Gaskin-Columbia 4198; "Sweet Rosie O'Grady" George Gaskin-Edison 1551, Columbia 4094, J.W. Myers-Columbia 6036. Tom Mootz, 1767 Glenview, St. Paul, MN 55112 (94)

WANTED: Tube type amplifiers made by Brook, Langevin, and Western Electric for my collection. Western Electric tubes, speakers, and microphones also wanted. Frank Hagenbuch, 1440 Lafayette Pky., Williamsport, PA 17701. 717-326-0932. (95)

Wanted: 1) Lid for Home Phonograph. 2) Reel tape recorder in perfect condition. 3) Reel tape recorder with 8-track recording in perfect condition. 4) 8-track NOS recording tape. Chisl, 3109 Contego Lane, Palm Beach Gardens, FL 33418. (95)

WANTED: Coon-Sanders Orch., Vic. 19958 "Louise, You Tease" and 20461 "High Fever." Also want any original photos or other material on this band. Frank Hagenbuch, 1440 Lafayette Pky., Williamsport, PA 17701. 717-326-0932. (95)

TALKING BOOK CORP.: Small Emerson-produced records glued to cardboard figures and to children's books. I can't use loose records, but if you have any still attached to the figures or books please write. Also buying picture records. Thanks! Marc Grobman, 94 Paterson Rd., Fanwood, NJ 07023. (94)

WANTED: Victor Victrolas, 2nd style V.T.L.A. & 1st style VV-XVI. Kenneth R. Washer, 27829 Western Golf Dr., Livonia, Michigan 48154. Ph. 313-427-8445 (97)

wanted

Wanted: TALKING BOOK CORP.: Small Emerson-produced records glued to cardboard figures and to children's books. I can't use loose records, but if you have any still attached to the figures or books please write. Also want 78 rpm picture records and Jump Blues, R&B, Blues or Rockabilly 45s on original US labels. Thanks! Marc Grobman, 94 Paterson Rd., Fanwood, NJ 07023 (96)

Wanted: The following records or a copy on cassette. Campbell & Burr-Columbia 1790, Isham Jones-Decca 704, Peerless Quartet-Victor 17943, Leo Reisman-Victor 27344, Stanley & Burr-Columbia 641, Walter Van Brunt-Edison Amberol 2542 (is 50923 same recording?), "Manhattan"-is there a 1925-29 vocal recording? Tom Mootz, 1767 Glenview, St. Paul, MN 55112. (94)

WANTED: All black funnel style horn for Trademark Berliner, Motor and slip-on crank for Victor I. Phillip Drexler, 1175 E. Ripley Ave., St. Paul, MN 55109. (612) 771-8630. (94)

WANTED: Jewel reproducer/attachment to play Edison records on Victor machines. State condition/price. David Pagitt, 7114 Wrenwood, Tampa FL 33617 (94)

for sale

Original Columbia Numerical Catalog. Ethnic Victor-Columbia-Polydor-Telefunken-Radiophon 78's. Capitol Ethnic LP's. Walter Mitziga, P.O. Box 49412, Chicago, Illinois 60649. (94)

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